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ABSTRACT

This handbook, produced largely as a result of the adoption of New Jersey's regulation for the evaluation of tenured teaching staff members (NJAC 6:3-1.21), recommends processes which will assist local school districts in complying with the law. Three major sections are presented: (1) the regulations--a copy of a New Jersey Administrative Code, Education, Title 6:3-1.21; guidelines of the state education department; roles and responsibilities of boards of education and chief school administrators; and a management plan; (2) detailed suggestions on carrying out a staff evaluation program, including recordkeeping, indicators of effectiveness, reporting, and development of school district policy; and (3) other factors, such as preparing written policy, developing job descriptions, superintendent evaluation, school board evaluation, legal issues, and negotiations. Exhibits include sample policies concerning evaluation; a matrix of staff responsibilities; evaluation criteria; methods of data collection and persons able to provide different types of information; job descriptions; rating scales for evaluating superintendents, school boards, and teachers; a glossary; and a bibliography. (GDC)

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SCHOOL STAFF EVALUATION IN NEW JERSEY

Presented by

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NEW JERSEY SCHOOL BOARDS ASSOCIATION

RESEARCH FOR BETTER SCHOOLS, INC.

February 1979

TM 00 107

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Linda Morton
Assistant Director
Management Information
New Jersey School Boards Association

Cathleen Otto
Assistant Director
Labor Relations
New Jersey School Boards Association

Peter Rosamilia
Assistant Executive Director for Administration
New Jersey School Boards Association

Hurley Hanley
Assistant Director
Management Services Department
Research for Better Schools, Inc.

Christine Weger
Assistant Counsel
New Jersey School Boards Association

William Reynolds, Jr.
Staff Associate
Research for Better School, Inc.

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James I. Mason
Director
Educational Services Division
Research for Better Schools, Inc.

Glenn Tecker
Director
Management Information
New Jersey School Boards Assoc.

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OVERVIEW

This Handbook on School Staff Evaluation in N. J. has been prepared by Research for Better Schools, Incorporated (RBS), under the auspices of the New Jersey School Boards Association (NJSBA). The recent adoption of the regulation for evaluation of tenured teachers, NJAC 6:3-1.21 was a prime motivation for this effort. In concert with the NJSBA, RBS has supported these materials with a significant mission of assisting the improvement of instruction provided to children and adults.

This Handbook borrows the theme of "Roles and Responsibilities" which was the foundation of the series of handbooks prepared by NJSBA and RBS for Boards of Education relative to the Thorough and Efficient Legislation. There is one significant difference in the theme, however, as it is broadened to include the chief school administrators, as cited in NJAC 6:3-1.21. They are charged with the responsibility for developing the required policies and procedures, in consultation with tenured teaching staff members. Accordingly, when this handbook presents the roles and responsibilities chapter, it will spell-out what both the Board and the Superintendent (or Administrative Principal) must do to comply with NJAC 6:3-1.21.

The Handbook has been divided into three major sections, with a series of sub-sections or chapters in each.

I. The Regulations

This is the key to the Handbook; it presents:

- The underlying assumptions included in the development of the new regulation
- The actual regulation
- The State Department of Education Guidelines
- The Roles and Responsibilities for Boards of Education and Chief School Administrators
- The recommended Management Plan with which to implement the regulation.

II. The Evaluation of Staff

This is the heart of the Handbook; it presents:

- The NJSBA's suggestions on staff evaluation
- The NJSBA's/RBS's suggestions for local district action

III. The Other Factors in Staff Evaluation

This is the "support" material of the Handbook; it presents:

- The preparation of a written policy
- The development of job descriptions
- The evaluation of the Superintendent
- The evaluation of the Board's performance
- The legal framework for staff evaluation
- The relationships of negotiations and staff evaluation

These sections are accompanied by this Overview, a Glossary of Terms, and a Bibliography. When combined, the reader is presented with an in-depth treatment of a most significant regulation; the NJSBA and RBS sincerely hope that this Handbook will assist Board Members, Administrators, and Teachers to better understand and implement NJAC 6:3-1.21.

ASSUMPTIONS

The Assumptions to follow have been developed from five sources

- Commissioner Fred G. Burke's article in Interact, September 1978.
- NJAC 6:3-1.21 Evaluation of Tenured Teaching Staff Members.
- Guidelines to assist local school districts to comply with NJAC 6:3-1.21.
- New Jersey School Boards Association position recommendations relative to NJAC 6:3-1.21.
- Research for Better Schools, Inc. research and development into what might constitute an appropriate process through which to comply with NJAC 6:3-1.21.

These assumptions are presented to guarantee that the Handbook builds on a foundation consistent with the sources cited above and provides a foundation for the PROCESS recommended herein.

- That the purposes of the regulations are to promote professional excellence, improve student learning and provide a basis for review of performance of tenured staff members
- That all major educational associations were consulted and involved in the development of the regulation.
- That the regulation calls for consultation with tenured teaching staff members in the development of local district policies and procedures.
- That the use of job descriptions for personnel evaluations is a highly accepted model, in both the public and private sectors.
- That the criteria to be used for the review of performance is left to the local district.
- That the use of a Summary (multiple) of available indicators of pupil progress is called for in the regulations.

- That the preparation of Individual Professional Improvement Plans is required.

- That the methods of collecting data should be appropriate to the job description.

- That all other regulations contained in the Education section of the Administrative Code, Title 6 relative to Evaluation will be adhered to.

- That the Guiding Principles as established by the Commissioner of Education will serve as a framework for local districts as they develop Policies and Procedures.

SECTION I

INTRODUCTION

CHAPTER I. NJAC 6:3—1.21

CHAPTER 2. GUIDELINES, NEW JERSEY STATE DEPARTMENT OF EDUCATION

CHAPTER 3. ROLES AND RESPONSIBILITIES

CHAPTER 4. MANAGEMENT PLAN

INTRODUCTION

This section is the key to the Handbook as it establishes the foundation for Sections II and III to follow. The Overview and Assumptions have set the stage for this section and must be read carefully to insure that the regulations are understood as they were intended. Commissioner Fred G. Burke has indicated in Interact, an official publication of the Department of Education that he feels there were five areas of misunderstanding that developed prior to the adoption of the Code:

-1- The purpose of the regulation and the intent of the new policy.

-2- Whether teaching staff members were involved in the development of the regulations and the extent of their future involvement in the development of guidelines for the adoption of local policies and procedures.

-3- Whether school districts must develop individual job descriptions for each staff member.

-4- The use of test scores as a single criteria for job performance.

-5- The possibility that the professional improvement plan requirement would become a punitive burden on the teaching staff members.

The Assumptions address these concerns by presenting a series of statements that clarify what was intended in the regulations. It is sincerely hoped that these explanations and the material included herein will enable Boards of Education, Chief School Administrators and teaching staff members to effectively carry out the regulations. If this is accomplished then the possibility of improving our schools will be greatly enhanced.

Section I itself contains four distinct chapters, which as noted earlier, establish the foundation for all that is to follow.

Chapter 1: Presents NJAC 6:3-1.21 as adopted, with an explanation of how it will be treated in subsequent chapters.

Chapter 2: Presents guidelines prepared by the New Jersey State Department of Education.

Chapter 3: Presents the Roles and Responsibilities of Board members and their chief school administrators.

Chapter 4: Presents a management plan with step by step procedures for implementing the regulations.

Finally, the Summary ties these chapters together; indicates what happens next in as much as this Handbook is subject to revisions and recognizes that the guidelines from the State Department of Education are themselves subject to change.

CHAPTER I

NJAC 6:3—1.21

INTRODUCTION

This chapter presents NJAC 6:3-1.21 as adopted by the New Jersey State Board of Education. It is imperative that all Board members and Chief School Administrators study these rules and regulations very carefully prior to any consideration of their implementation. In addition, the guidelines developed by the New Jersey State Department of Education should be given careful attention, although they are advisory only, and not binding.

The regulations have been included in the Handbook as they are the foundation for all that is to follow. Based on an analysis of these regulations and the Guidelines in Chapter 2, Chapters 3, and 4 were prepared. And, following the completion of these chapters, all of Section II was designed and developed to build an ever increasing body of knowledge to draw upon when developing the policies and procedures through which to implement NJAC 6:3-1.21.

In addition, the various sub-sections of the regulation are cross-referenced throughout the Handbook. Also included in this chapter are administrative rules governing the evaluation of non-tenured teaching staff members which were adopted in January, 1976.

NEW JERSEY ADMINISTRATIVE CODE

EDUCATION

TITLE 6

SUBTITLE A. STATE BOARD OF EDUCATION

CHAPTER 3. SCHOOL DISTRICTS

SUBCHAPTER 1. RULES AND REGULATIONS

AUTHORITY: N.J.S.A. 18A:4-15, 18A6-10 et seq., 18A:7A-1 et seq., 18A:29-14

6:3-1.21 Evaluation of tenured teaching staff members

(a) Every local board of education shall adopt policies and procedures requiring the annual evaluation of all tenured teaching staff members by appropriately certified personnel (N.J.S.A. 18A:1-1; N.J.A.C. 6:11-3.4).

(b) The purpose of the annual evaluation shall be to:

1. Promote professional excellence and improve the skills of teaching staff members;
2. Improve student learning and growth;
3. Provide a basis for the review of performance of tenured teaching staff members.

(c) The policies and procedures shall be developed under the direction of the district's chief school administrator in consultation with tenured teaching staff members and shall include but not be limited to:

1. Roles and responsibilities for implementation of the policies and procedures;
2. Development of job descriptions and evaluation criteria based upon local goals, program objectives and instructional priorities;
3. Methods of data collection and reporting appropriate to the job description including, but not limited to, observation of classroom instruction;

4. Observation conference(s) between the supervisor and the teaching staff member;

5. Provision for the use of additional appropriately certified personnel where it is deemed appropriate;

6. Preparation of individual professional improvement plans;

7. Preparation of an annual written performance report by the supervisor and an annual summary conference between the supervisor and the teaching staff member.

(d) These policies shall be distributed to each tenured teaching staff member no later than October 1. Amendments to the policy shall be distributed within 10 working days after adoption.

(e) The annual summary conference between supervisors and teaching staff members shall be held before the written performance report is filed. The conference shall include but not be limited to:

1. Review of the performance of the teaching staff member based upon the job description;

2. Review of the teaching staff member's progress toward the objectives of the individual professional improvement plan developed at the previous annual conference;

3. Review of available indicators of pupil progress and growth toward the program objectives;

4. Review of the annual written performance report and the signing of said report within five working days of the review.

(f) The annual written performance report shall be prepared by a certified supervisor who has participated in the evaluation of the teaching staff member and shall include but not be limited to:

1. Performance areas of strength;

2. Performance areas needing improvement based upon the job description;

3. An individual professional improvement plan developed by the supervisor and the teaching staff member;

4. A summary of available indicators of pupil progress and growth, and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual teaching staff member;

5. Provision for performance data which has not been included in the report prepared by the supervisor to be entered into record by the evaluatee within 10 working days after the signing of the report.

(g) Local board of education policies for the evaluation of tenured teaching staff members, based upon but not limited to the above provisions, shall be developed during the 1978-79 school year and shall become operational September 1, 1979. These provisions are the minimum requirements for the evaluation of tenured teaching staff members.

(h) For the purposes of this section:

1. Appropriately certified personnel means personnel qualified to perform duties of supervision which includes the superintendent, assistant superintendent principals, vice-principals, and supervisors of instruction who hold the appropriate certificate and who are designated by the board to supervise instruction.

2. Indicators of pupil progress and growth means the results of formal and informal assessment of pupils as defined in N.J A.C. 6:8-3.4.

3. Individual professional improvement plan is a written statement of actions developed by the supervisor and the teaching staff member to correct deficiencies or to continue professional growth, timelines for their implementation, and the responsibilities of the individual teaching staff member and the district for implementing the plan;

4. Job description means a written specification of the function of the position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and district;

5. Observation conference means a discussion between supervisor and teaching staff member to review a written report of the performance data collected in a formal observation and its implications for the teaching staff member's annual evaluation;

6. Observation means a visitation to an assigned work station by a certified supervisor for the purpose of formally collecting data on the performance of a teaching staff member's assigned duties and responsibilities and of a duration appropriate to same;

7. Performance report means a written appraisal of the teaching staff member's performance prepared by an appropriately certified supervisor;

8. Supervisor means any appropriately certified individual assigned with the responsibility for the direction and guidance of the work of teaching staff members;

9. Teaching staff member means a member of the professional staff of any district or regional board of education, or any board of education of a county vocational school, holding office, position or employment of such character that the qualifications, for such office, position or employment, require him/her to hold a valid and effective standard, provisional or emergency certificate, appropriate to his/her office, position or employment, issued by the state board of examiners and includes a school nurse; excluding the district superintendent of schools or, if there is no superintendent, excluding the principal.

adopted January 7, 1976

RULES FOR THE EVALUATION OF NON-TENURED STAFF

NEW JERSEY ADMINISTRATIVE CODE
Title 6
Subtitle A. State Board of Education
Chapter 3. School Districts
Subchapter 1. Rules and Regulations
Authority: N.J.S.A. 18A:27-3.1 and 3.3

6:3-1.19 Supervision of instruction; observation and evaluation of nontenured teaching staff members

(a) For the purpose of this section, the term "observation" shall be construed to mean a visitation to a classroom by a member of the administrative and supervisory staff of the local school district, who holds an appropriate certificate for the supervision of instruction, for the purpose of observing a nontenured teaching staff member's performance of the instructional process.

1. Each of the three observations required by law shall be conducted for a minimum duration of one class period in a secondary school and, in an elementary school, for the duration of one complete subject lesson.

(b) The term "evaluation" shall be construed to mean a written evaluation prepared by the administrative/supervisory staff member who visits the classroom for the purpose of observing a teaching staff member's performance of the instructional process.

(c) Each local board of education shall adopt a policy for the supervision of instruction, setting forth procedures for the observation and evaluation of nontenured teaching staff members, including those assigned to regular classroom teaching duties, and those not assigned to regular classroom teaching duties. Such policy shall be distributed to each teaching staff member at the beginning of his/her employment.

(d) Each policy for the supervision of instruction shall include, in addition to those observations and evaluations hereinbefore described, a written evaluation of the nontenured teaching staff member's total performance as an employee of the local board of education.

(e) Each of the three observations required by law shall be followed, within a reasonable period of time, but in no instance more than fifteen days, by a conference between the administrative/supervisory staff member who has made the observation and written evaluation and the nontenured teaching staff member. Both parties to such a conference will sign the written evaluation report and retain a copy for his/her records. The nontenured teaching staff member shall have the right to submit his or her written disclaimer of such evaluation within ten (10) days following the conference, and such disclaimer shall be attached to each party's copy of the evaluation report.

(f) The purposes of this procedure for the observation and evaluation of nontenured teaching staff members shall be to identify deficiencies, extend assistance for the correction of such deficiencies, improve professional competence, provide a basis for recommendations regarding reemployment, and improve the quality of instruction received by the pupils served by the public schools.

adopted January 7, 1976

NEW JERSEY ADMINISTRATIVE CODE
Title 6
Subtitle A. State Board of Education
Chapter 3. School Districts
Subchapter 1. Rules and Regulations
Authority: N.J.S.A. 18A:27-3.2 and 3.3

6:3-1.20 Procedure for appearance of nontenured teaching staff members before a local board of education upon receipt of notice of non-reemployment

(a) Whenever a nontenured teaching staff member has requested in writing and has received a written statement of reasons for non-reemployment pursuant to N.J.S.A. 18A:27-3.3, he/she may request in writing an informal appearance before the local board of education. Such written request must be submitted to the board within ten calendar days of receipt of the board's statement of reasons.

(b) Such an informal appearance shall be scheduled within thirty days from receipt of the board's statement of reasons.

(c) Under the circumstances described herein, a nontenured teaching staff member's appearance before the board shall not be an adversary proceeding. The purpose of such an appearance shall be to permit the staff member to convince the members of the board to offer reemployment.

(d) Each local board shall exercise discretion in determining a reasonable length of time of the proceeding, depending upon the specific circumstances in each instance.

(e) Each local board shall provide adequate written notice to the employee regarding the date and time of the informal appearance.

(f) The nontenured teaching staff member may be represented by counsel or one individual of his/her own choosing.

(g) The staff member may present witnesses on his/her behalf. Such witnesses need not present testimony under oath and shall not be cross-examined by the board. Witnesses shall be called into the meeting to address the board one at a time and shall be excused from the meeting after making their statements.

(h) The proceeding of an informal appearance before the local board as described herein may be conducted pursuant to N.J.S.A. 10:4-12b(8).

(i) Within three days following the informal appearance, the board shall notify the affected teaching staff member, in writing, of its final determination. Such notification may be delegated by the board to its superintendent or board secretary.

CHAPTER 2

GUIDELINES, NEW JERSEY

STATE DEPARTMENT OF EDUCATION

INTRODUCTION

This chapter presents the New Jersey State Department of Education "Guidelines for the Evaluation of Tenured Teaching Staff Members." They have been prepared to assist local school districts as they develop and implement policies and procedures with which to evaluate tenured teaching staff members. It is important to note Dr. Fred G. Burke, Commissioner of Education has emphasized that "The Administrative Guidelines contained herein are not formal rules but are recommended procedures and suggestions for effective implementation of those regulations."

The New Jersey School Boards Association and Research for Better Schools, Inc. have included the Guidelines in the belief that they may further the readers understanding of the new rules and regulations. Further, the process materials contained in the Chapters to follow will enable local school districts to develop policies and procedures consistent with the rules and regulations.

NEW JERSEY STATE DEPARTMENT OF EDUCATION

Guidelines for the Evaluation of Tenured Teaching Staff Members

January 1979

III. Principles of Staff Evaluation

The following principles have been established by the Commissioner of Education to serve as a framework to guide the efforts of local school districts to develop or adapt programs of staff evaluation to meet the requirements of N.J.A.C. 6:3-1.21.

It is believed that these principles will pave the way to positive and collaborative approaches to staff evaluation, approaches that can be characterized by such terms as trust, cooperation, planning, and improvement. The regulations and these guidelines are intended to improve the learning experiences of students. This can only be achieved if professionals work together to use the evaluation as a positive force in the district. A good evaluation system will not only identify and remedy deficiences, but will identify exemplary performances and good practices. All parties should support these positive approaches if the benefits of evaluation are to be realized.

These principles are intended to set the tone for good practice in supervision and evaluation and are the philosophical bases for the guidelines that follow.

Principles

I. The evaluation program shall be based upon the local district and school general goals and program objectives.

II. The evaluation program shall be in compliance with all all prevailing state laws and regulations and district policies.

III. Effective evaluation requires a commitment by all parties that only can be achieved through collaborative planning, implementation, and review of policies and procedures.

IV. The purposes of the evaluation program should be clearly stated in writing and be well known to the evaluators and those who are to be evaluated.

V. Supervisors should be properly certified, and trained in the process of evaluation and supervision.

VI. The responsibilities of teaching staff members should be defined in their job descriptions and this definition should serve as the frame of reference for evaluation.

VII. These responsibilities should be defined via a process that ensures broad participation by all levels of staff.

VIII. Staff should know who will conduct the evaluation and understand the process and procedures by which they will be evaluated in relation to their responsibilities.

IX. Evaluations should be diagnostic as well as judgmental. The process should analyze teaching or other functions to improve the services provided to students.

X. Evaluation should focus on activities and processes essential to the performance of the job and the supervisor should be familiar with the context in which these duties are carried out.

XI. Evaluation should take into account influences on the work environment such as materials and other resources provided by the district.

XII. The self-image and self-respect of staff should be maintained and enhanced. Positive self-concepts can be fostered by an effective evaluation plan.

XIII. The nature of the evaluation should be such that it encourages creativity and experimentation in planning and guiding the experiences provided for children.

XIV. The evaluation process should make ample provision for clear, personalized, constructive feedback and recognition of achievements.

XV. The district and the supervisor should provide direct assistance to the teaching staff member who is attempting to acquire new skills.

IV. Recommended Schedule for Implementation

1978-79

Winter

1. Review of current policies and procedures for evaluation of tenured teaching staff members.
2. Revision of current policies and procedures or development of new policies and procedures if necessary.
3. Attainment of technical assistance if necessary for the selection or development of policies and procedures.

Spring

4. Adoption of policies and procedures by the local board of education.
5. Development of job descriptions for teaching staff members and preparation of a compilation of policies, recordkeeping procedures and other materials for supervisory staff and teaching staff members.

Spring/Summer

6. Provision of in-service training for supervisory staff and tenured teaching staff members to implement the system adopted.

V. Development of Policies and Procedures

A. Roles and Responsibilities

1. The local board of education should provide leadership, adequate resources for supervision and professional development, time to properly conduct evaluations and subsequent in-service to ensure that qualitative improvements occur as a consequence of staff evaluation.

2. Provision must be made for consultation with tenured teaching staff during the developmental phase of staff evaluation and consultation during implementation is encouraged.

3. The specific manner in which the "in consultation with tenured teaching staff members" is to be implemented is to be determined by each local school board. Individual access to the planning process should be achieved whenever practical and the consultation process should be structured in a manner that will accomplish that end. Involvement of organizational representatives is neither required nor prohibited. However it is unlikely that any one person could be representative of all teaching staff members and the process should be left to those individuals who wish to provide information or otherwise contribute to the decisions on staff evaluation.

4. The evaluation policy clearly should state the responsibility of the evaluator to the evaluatee and vice versa.

5. The evaluation policy should state to whom and for whom each person is responsible in the evaluation process.

6. Provision should be made for a periodic review of the of the evaluation program by the local board of education and by teaching staff members.

B. Job Descriptions

1. A job description is a written statement of qualifications, duties and responsibilities for a particular position. It

may be based upon a formal or informal particular analysis of the job. The job description should tell what a teaching staff member is expected to do on the job.

2. All job descriptions in a district should use the same terminology and format. They should be brief and focus on the most essential activities.

3. A good procedure is to appoint a committee involving teaching staff members to guide the development of job descriptions and to assist with the completion of this task.

4. This committee might begin with the existing organizational framework. It is a good idea to review current functions. This procedure may uncover issues that require some change in the organizational framework or lead personnel to rethink their activities and their priorities.

5. Since some functions appear in many jobs, it may be efficient to identify some general functions for groups of positions, e.g., elementary teacher, counselor, elementary principal, etc. Additional functions could be added to the common set to prepare job descriptions.

7. There are manuals available for writing job descriptions. However, in general job descriptions should be written in the active and present tense, using operational verbs, common terminology, and a direct and simple style.

C. Evaluation Criteria

1. There are many possible criteria that could be selected to evaluate teaching staff members. The choices and their implications cannot be reviewed here. The regulations do not include criteria but instead set minimal requirements for policies and procedures.

2. There should be a clear rationale for the criteria selected and they should be linked logically to the performance of duties and responsibilities identified in the job description.

3. In general, it is better to select a short list of key criteria and focus on them rather than to adopt long lists that cannot be used effectively by supervisors.

4. Criteria which encourage collection of observable information on job performance are to be preferred over criteria which call for general subjective judgments.

D. Data Collection and Observation

1. Data on performance can be collected through observation, interviews, previous performance reports, and review of current records bearing on job performance. The methods selected should be appropriate to the criteria being employed and the responsibilities being evaluated.

2. The regulations require at least one observation but multiple observations are recommended.

3. Observations should be long enough to permit the supervisor to observe a complete performance by the teaching staff member. If possible, multiple observations that focus on different areas of responsibility are desirable.

4. Observations should be spread over time to provide the supervisor with a few samples of performance and to allow time for improvement.

5. Provision for additional observations at the request of the teaching staff member is desirable within the limits set by the resources available to the district.

E. Observation Conferences

1. Post observation conference(s) are required. It is desirable for the supervisor and the teaching staff member to meet to discuss the goals of the evaluation process. Post-observation conferences should occur after each observation to confirm the data collected, provide feedback, and, where necessary, to provide assistance to the teaching staff member.

2. Timing is critical; conferences which take place too soon or too late or are hastily conducted will be counter-productive.

3. Supervisors might use these conferences to demonstrate recommended techniques.

F. Use of Additional Certified Personnel

1. In cases where the responsible supervisor cannot carry out the entire evaluation because of limited knowledge of a content area, an additional supervisor may be used. However, this additional person should work with the teaching staff member over a period of time if the full benefits of evaluation and feedback are to be attained. The regulations require that all supervisors be properly certified and be charged with the direction and guidance of the work of the teaching staff member.

G. Individual Improvement Plans

1. Individual improvement plans must be developed cooperatively by the supervisor and the teaching staff member and should be limited in their scope. They should focus on the most important areas of professional growth.

2. When no significant areas of weakness are identified, the improvement plan should be used to provide general guidance for voluntary professional development.

3. Wherever possible, these improvement plans should focus on in-service programs which use local resources in order to assure easy access to the required assistance and enhance its relevance to the needs of staff.

4. The improvement plans should provide a basis for focusing the evaluation and assistance efforts of the supervisor in the subsequent year. There should be a clear and logical link between the identified weakness and the remedy recommended.

5. Formal training away from the job is not the only approach to professional development and may not always be the best one. Self-study works better for some individuals. Demonstration and informal assistance by a supervisor or colleagues may work better for others. Direct assistance and demonstration by the supervisor should be encouraged as the primary form of in-service.

H. Annual Performance Reports

1. The regulations specify the minimum content of these reports. The reports should be used to encourage useful discussion between the supervisor and teaching staff member.

2. It is desirable that these reports be prepared in narrative form and contain evidence to support conclusions about the performance of the teaching staff member and the effectiveness of the program.

I. Annual Conference

1. The annual conference is intended to provide for a total review of the year's work and to identify strategies for improvement where necessary and to recognize achievement and good practice.

2. Adequate time should be alloted for the conference in order to cover the topics of discussion required by the code and to permit a full exploration of the possible solutions to any problems identified.

3. One-on-one conferences are the most effective and protect the confidentiality of the discussion and the rights of both parties.

J. Review of Pupil Progress Data

1. These regulations do not require or prohibit the use of pupil progress data as a criterion of job performance. The selection of evaluation criteria is left to the discretion of the local board of education. The regulations do require an annual review of all available pupil progress data pertaining to the position being evaluated. The purpose of this review is to determine whether or not changes in the performance of the teaching staff member or in the program would lead to improved results during the subsequent school year. A summary of this data and its implications are to be placed in the annual performance report.

2. Pupil progress data refers to the multiple measures defined in N.J.A.C. 6:8-3.4 which include:

   teacher observation, parental or guardian interreview, formal and informal evaluation techniques, cumulative pupil records, student performance data collected through local testing programs which meet State criteria, State testing results and visual, auditory, and/or medical examination.

3. The review of this data should be conducted by a supervisor who is familiar with the students and the school context.

4. If the review of the data reveals that pupils have not made the progress expected, the supervisor and teaching staff member should consider what changes in the performance of the teaching staff member or changes in the programs being provided to children are likely to lead to improved results. Specific remedies should be identified and, as soon as possible, implemented.

VI. MONITORING OF THE EVALUATION POLICIES AND PROCEDURES

A. State Monitoring

The County Office of Education will monitor the implementation of regulations. They will use the checklist contained in Appendix A to ensure compliance with the regulations.

B. Local Monitoring

The local board of education and chief school administrator should provide for a process of evaluation and review of the policies and procedures adopted by the district. Staff evaluation takes significant amounts of time and can lead to more work if not properly reviewed. It would be advisable to set-up a biennial process of review by all parties concerned to ensure that the procedures are having the desired effects with the district.

APPENDIX A

State Monitoring Questions

1. Has the local board of education adopted policies and procedures for evaluation of tenured teaching staff ?

2. Were tenured teaching staff members involved in the development of the district evaluation policies and procedures in a manner consistent with the requirement for "in consultation with"?

3. Are job descriptions consistent with teaching staff member responsibilities and with certification requirements?

4. Are teaching staff member job descriptions used as a foundation for evaluation?

5. Is "pupil progress" defined according to NJAC 6:8-3.47?

6. Are evaluators of tenured teaching staff members appropriately certified?

7. Is there evidence of observation conferences?

8. Do the written performance reports contain:

   (a) performance areas of strength?
   (b) performance areas needing improvement if any?
   (c) individual professional improvement plans?
   (d) a summary of all available indicators of pupil progress and growth and how such data relates to the program and to the performance of the teaching staff member?

9. Are the annual written performance reports on record?

10. Are individual Professional Improvement Plans developed jointly from conference between the evaluator and the teaching staff member?

18A:27-3.1 Procedure for observation and evaluation.

1. Every board of education in this State shall cause each nontenure teaching staff member employed by it to be observed and evaluated in the performance of his duties at least three times during each school year but not less than once during each semester, provided that the number of required observations and evaluations may be reduced proportionately when an individual teaching staff member's tea of service is less than one academic year. Each evaluation shall be followed by a conference between that teaching staff member and his or her superior or superiors. The purpose of this procedure is to recommend as to reemployment, identify any deficiences, extend assistance for their correction and improve professional competence.

18A:27-3.2 Statement of reasons for nonrenewal.

2. Any teaching staff member receiving notice that a teaching contract for the succeeding school year will not be offered may, within 15 days thereafter, request in writing a statement of the reasons for such non-remployment which shall be given to the teaching staff member in writing within 30 days after the receipt of such request.

18A:27-3.3 Rules.

3. The provisions of this act shall be carried out pursuant to rules established by the State Board of Education.

4. This act shall take effect July - next following enactment.

CHAPTER 3

ROLES AND RESPONSIBILITIES

INTRODUCTION

This Chapter presents the Roles and Responsibilities of Boards of Education and Chief School Administrators relative to the implementation of NJAC 6:3-1.21. The roles and responsibilities included herein are based on an analysis of the regulations and Guidelines presented in Chapters 1 and 2. The two role charts have been developed so that respective responsibilities and timelines are synchronized. This will enable them to be incorporated in the Management Plan presented in Chapter 4 of this section of the Handbook.

The responsibilities listed on the charts are fairly broad. More detailed activities are suggested as key events in the Management Plan. While they are keyed to the regulations, the sample management plan represents suggestions from the NJSBA and RBS. They are intended to provide Board members and Chief School Administrators with sufficient direction to move forward with the development of district policies and procedures.

ROLES AND RESPONSIBILITIES

BOARDS OF EDUCATION

TENURED TEACHER EVALUATION

	Responsibilities	Timeline
1.	Complete an In-depth examination of NJAC 6:3-1.21	Month 1
2.	Review closely the New Jersey State Department of Education Guidelines.	Month 1
3.	Ascertain status of local goal development, program objectives, and instructional priorities.	Month 1
4.	Arrange for the completion of any of the above matters.	Month 1
5.	Direct the chief school administrator, to prepare a recommended tenure teacher evaluation policy and implementation procedures for presentation to the Board to encompass the following criteria:	Month 1
	A. Must spell out implementation roles and responsibilities.	
	B. Must provide an action plan for development of job descriptions and evaluation criteria based upon local goals, program objectives, and instructional priorities.	
	C. Must provide minimum methods of data collection and reporting, including but not limited to classroom observation.	
	D. Must provide for observation(s) conference(s) between supervisor and staff member.	
	E. Must provide for use of additional certified personnel where appropriate.	

Responsibilities	Timeline
F. Must provide for preparation of individual professional improvement plans.	
G. Must provide for annual summary conference between supervisor and staff member.	
H. Must be developed in consultation with tenured teaching staff members.	
I. Must meet the requirements of the NJAC including the factors to be included in:	
1. Annual Summary Conference	
2. Annual Written Performance Report	
3. Provision for Performance Data	
4. Receive, review, revise recommended policies and procedures. Include in review an analysis of legal and labor relations aspects as suggested in this manual.	Month 5
5. Adopt policy and procedures and begin implementation.	Month 7

ROLES AND RESPONSIBILITIES
CHIEF SCHOOL ADMINISTRATOR
TENURED TEACHER EVALUATION

	Responsibilities	Timeline
1.	Complete an in-depth examination of NJAC 6:3-1.21	Month 1
2.	Review closely the New Jersey State Department of Education Guidelines.	Month 1
3.	Review existing Board policies and procedures with Board and with tenured teaching staff members. (Checklist, Appendix B, State Department Guidelines).	Month 1
4.	Recommend to the Board of Education needed changes, additions, deletions in existing Board policy affecting the development of a Comprehensive Tenured Teaching Evaluation policy.	Month 1
5.	Establish task force(s) or committee(s) including at least a Board member, Administrators, and Tenured Teacher representation.	Month 2
6.	Develop missions and time schedules for each task force(s) or committee(s). The NJAC 6:3-1.21 requirements could be grouped as follows, policy and procedure development groups charged accordingly:	Month 2

- Roles and responsibilities, job descriptions and evaluation criteria.
- Methods of data collection & reporting observation conference, and the use of additional appropriately certified personnel.
- Preparation of individual professional improvement plans and annual written performance report.
- Indicators of pupil progress and growth.

	Responsibilities	Timeline
7.	Receive and review recommendations from task force(s) or committee(s) using NJSDE Guidelines and NJSBA suggestions.	Month 5
8.	Recommend revision, addition, and deletions to each task force(s) or committee(s) report.	Month 5
9.	Receive revised committee recommendations.	Month 5
10.	Prepare draft of suggested policies and procedures for review by the Board of Education.	Month 6
11.	Review proposed policies and procedures with county office as to monitoring implications.	Month 6
12.	Present draft of proposed policies and procedures to the Board of Education for review and revisions.	Month 6
13.	Prepare the formal policies and procedures and present to the Board of Education for adoption.	Month 7
14.	Install and implement adopted policies and procedures.	Month 7
15.	Develop and install a plan for periodic review of Evaluation Policies and Procedures; consult with tenured teaching staff member.	Month 12

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CHAPTER 4

MANAGEMENT PLAN

INTRODUCTION

This Management Plan for the development and implementation of Policies and Procedures for the Evaluation of Tenured Teaching staff members as required under NJAC 6:3-1.21 combines the contents of Chapters one, two and three into a PROCESS through which Boards of Education and Chief School Administrators, in consultation with tenured teaching staff members, can comply with the code.

This Plan, as in the case of the State Department of Education's Guidelines, is a suggested set of procedures, presented as sequential steps (plus key events where needed) through which to develop and implement the required policies and procedures. The steps parallel sub-sections (a) through (h) of the code and seek to be consistent with the State Department's Guidelines. The steps are not detailed explanations of what is to be done; Sections II and III of this Handbook provide the in-depth treatment needed. This Chapter is an overall Management Plan through which to accomplish a difficult mission and would lose its continuity and consistency if it were embelished with narrative text. However, each step has been carefully cross-referenced to guide the user to the appropriate section, chapter, or unit in the Handbook that contains material relative to the step under consideration. In addition, suggestions as to who should be responsible for completing the step and approximate timelines are included in the plan.

While it has been stated elsewhere in this Handbook, the NJSBA and RBS, Inc. remind the reader that this Management Plan, and this Handbook, represent a recommended course of action -- not an official or mandated one. There are other ways of accomplishing the mission set forth in NJAC 6:3-1.21. NJSBA &RBS, Inc. sincerely believe this is the best but urge local districts to CUSTOMIZE the plan to meet local needs and circumstances. Finally, the user is urged to carefully review the referenced material in Sections II and III. It has been specially designed and prepared to assist Board members and Chief School Administrators with the completion of this important task.

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21

STEPS (Plus Key Events)	REFERENCES			Responsibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
STEP #1: <u>In-Depth Examination of NJAC 6:3-1.21</u> <u>Key Events</u>: 1.1 Reproduce and distribute copies of the regulation to the Board and district personnel. 1.2 Present and discuss the regulations at a public board meeting. 1.3 Place emphasis on the Assumptions contained herein. 1.4 Distribute Regulations to parents via newspaper or internal newsletter or flyer. 1.5 Prepare a checklist of next steps, with appropriate responsibilities. 1.6 Implement the checklist.	6:3-1.21 (a)	IV. Guidelines. V. Implementation of Regulation Subsections V through VIII, plus Exhibits	Section II Chapter 5 Chapter 4 Management Plan Inside front cover	Chief School Administrator	Month 1

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21

STEPS (Plus Key Events)	REFERENCES			Responsibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
STEP #2: <u>Review District's Current (existing) Policies & Procedures relative to the Evaluation of Staff Members.</u> <u>Key Events</u>: 2.1 Collect existing policies and procedures. 2.2 Acquire additional samples. 2.3 Provide copies to the Board and tenured teaching staff (or all staff). 2.4 Review checklist, Appendix B, State Department of Education. 2.5 Review to determine what is in compliance and what needs to be accomplished. 2.6 Prepare checklist of what must be done based on key event -5-; consult with tenured teaching staff members. 2.7 Distribute checklist to everyone involved in the process.	6:3-1.21 (a)	V. Implementation of Regulation	Chapter 5 Chapter 6, Components #1 and #2 Chapter 7	Board of Education Chief School Administrator	Month 1/ Month 2

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21					
STEPS (Plus Key Events)	REFERENCES			Responsibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
STEP #3: In-depth Review of the NJSDE Guidelines Key Events: 3.1 Reproduce and distribute copies of the Guidelines to the Board and District personnel. 3.2 Present and discuss the guidelines at a public Board meeting. 3.3 Select from the Guidelines those suggestions that the district deems appropriate after consultation with Tenured Teaching staff members. 3.4 Prepare a checklist of next steps, combined with checklist prepared for NJAC 6:3-1.21. 3.5 Use checklist and implement next steps.	Complete Regulation	Complete Guidelines	Chapters 3, 5, and 6 Inside front cover Section II	Board of Education Chief School Administrator	Month 2
STEP #4: Prepare an Action Plan through which to Guide and Direct the Development and Implementation of the Needed Policies and Procedures. Key Events: 4.1 Outline the steps that are required in NJAC 6:3-1.21.	6:3-1.21 (b) through (h)	Review all Guidelines	Chapter 1 Chapter 6, Component #2, Exhibit #7 Summary	Board Committee Chief School Administrator Selected Staff Members	Month 1/ Month 2

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21

STEPS (Plus Key Events)	REFERENCES			Responsibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
4.2 Involve a sufficient number of people to be able to form several task forces or committees					
4.3 Provide adequate time to achieve the Mission.					
4.4 Assign responsibility.					
4.5 Provide facilities to meet, plus needed materials from Steps #1 and #2 above.					
4.6 Provide everyone with a copy of the Action Plan.					
STEP #5: Establish a Task Force(s) for following Areas • Roles & Responsibilities, Job Descriptions, and Evaluation Criteria. • Methods of Data collection and reporting, observation conference(s) and the use of additional appropriately certified personnel. • Preparation of individual professional Improvement Plans and annual written performance report.	6:3-1.21 (c)	VI. Development of policies and procedures A. thru K.	Chapters 5, 6, 7, 8, 11 & 12	Board of Education Chief School Administrator	Month 2 - Month 5

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21

STEPS (Plus Key Events)	REFERENCES			Responsibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
• Indicators of Pupil progress and growth.	Commentary: The establishment of more than one Task Force or Committee will depend on several factors: -1- The degree to which existing policies and procedures speak to the mission at hand. -2- The size of the district and the number of personnel available to work. -3- The district's established procedures for involvement in projects of this nature.				
STEP #6: <u>Appoint Task Force(s) to design and develop Policies and Procedures for all Sub-sections of NJAC 6:3-1.21.</u> <u>Key Events</u>: 6.1 Organize task force(s) according to Step #5. 6.2 Appoint Task Force(s) chairpersons 6.3 Provide Action Plans with Key Events from Step #4. 6.4 Establish specific timelines for completion of work.	Complete Regulation	Complete Regulation	Chapter 6	Chief School Administrator	Month 2 - Month 5

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21

STEPS (Plus Key Events)	REFERENCES			Responsibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
STEP #6: (Continued) 6.5 Require a progress report for January, February and March.					
STEP #7: Combine Task Force(s) Report on Policies and Procedures for all Subsections of NJAC 6:3-1.21. Key Events: 7.1 Review, revise and edit task force(s) reports. 7.2 Apprise Task Force(s) of any revisions. 7.3 Author reports as formal policies and procedures.	Complete Regulation	Complete Guidelines	Chapters 5, 6, 7, 11 and 12	Chief School Administrator	Month 5
STEP #8: Prepare a Draft Document of Suggested Policies and Procedures for review and revision by the Board of Education. Key Events: 8.1 Prepare rough draft copy. 8.2 Submit to Board attorney for review and legal opinion.	Complete Regulation	Complete Guidelines	Chapters 5, 6, 7, 11 and 12	Chief School Administrator	Month 5

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21

STEPS (Plus Key Events)	REFERENCES			Respon-sibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
STEP #8: (Continued)					
8.3 Review with selected tenured teaching staff members.					
8.4 Prepare draft for Board's review and revision.					
STEP #9: Review Proposed Policies and Procedures with County Office as to Monitoring Implication.				Chief School Administrator	Month 6
Key Events:					
9.1 Confer with County Superintendent of Schools relative to Proposed Policies and Procedures.					
9.2 Modify if needed					
STEP #10: Prepare and Submit Formal Policies and Procedures for Board of Education adoption.				Board of Education Chief School Administrator	Month 7
Key Events:					
10.1 Prepare final typed copy.					
10.2 Final editorial review.					
10.3 Distribute new Policies and Procedures to the District staff, parents, citizens, etc.					

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21

STEPS (Plus Key Events)	REFERENCES			Responsibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
-4- Solicit public reaction to policy drafts.					
-5- Review, direct revision if necessary and adopt policies and procedures.					
STEP #11: Install and Implement Adopted Policies and Procedures				Chief School Administrator	Month 7/ Month 8
Key Events:					
11.1 Prepare an Action Plan relative to the installation and implementation.					
11.2 Include all important key events, responsibilities, and timelines.				Chief School Administrator	Month 8- Month 9
STEP #12: Prepare and Provide In-service Training Programs for Administrators and Teachers				Administrative Staff	
12.1 Design in-service Training Plan (Action Plan Model.)					
12.2 Seek Assistance from NJSBA, EIC, Counth Off. Educational Organizations, Consultants, etc.					
12.3 Implement Training.					

MANAGEMENT PLAN: Development & Implementation of Policies and Procedures Relative to NJAC 6:3-1.21

STEPS (Plus Key Events)	REFERENCES			Responsibility	Timeline
	NJAC 6:3-1.21	NJSDE Guidelines	NJSBA/RBS Handbook		
STEP #13: Prepare and Implement a Monitoring and Tracking System.				Chief School Administrator	Month 8/ Month 9
Key Events:				Administrative staff	
13.1 Hold monthly progress review.					
13.2 Collection of Formative Evaluation data.					
13.3 Follow Monitoring Checklist from County office.					
13.4 Prepare quarterly progress reports.					
13.5 Prepare Summative Evaluation of Process.					
STEP #14: Develop and Install a Periodic review of Policies and Procedures				Chief School Administrator	Month 9/ Month 10
Key Events:					
14.1 Develop a review process.					
14.2 Review with tenured teaching staff members					
14.3 Carry out the review process in November and March.					

SUMMARY

Chapters 1 through 4 have established a foundation for all that is to follow. Each chapter added an essential part to the reader's knowledge about NJAC 6:3-1.2. and how it should be implemented:

Chapter 1 presented NJAC 6:3-1.21 as adopted, with an explanation of how it will be treated in subsequent chapters.

Chapter 2 presented guidelines prepared by the New Jersey State Department of Education.

Chapter 3 presented the Roles and Responsibilities of Board members and their chief school administrators.

Chapter 4 presented a management plan with step by step procedures for how to implement the regulations.

In Section II, of this Handbook, the PROCESS for developing local School District Policies and Procedures through which to comply with NJAC 6:3-1.21 is presented. Before closing, however, let's cross-check what we have learned by reviewing the Questions and Answers to follow.

NEW JERSEY ADMINISTRATIVE CODE
ON STAFF EVALUATION
QUESTIONS AND ANSWERS

Who must comply with the new regulations?

Every local board of education

What is the purpose of the new regulations?

- To promote professional excellence
- To improve the skills of teaching staff
- To improve student learning and growth
- To provide a basis for the review of performance of tenured teachers

Who will be involved?

The chief school administrator in consultation with tenured teaching staff

What must be included in the policies and procedures?

- Roles and responsibilities for implementation of the policies and procedures
- Job descriptions
- Evaluation criteria based on:
  - local goals
  - program objectives
  - instructional priorities
- Methods of data collection and reporting appropriate to the job description
  - observation of classroom instruction
  - not limited to the above
- An observation conference between:
  - supervisor
  - teacher
- Additional certified supervisory personnel where deemed appropriate
- Individual professional improvement plans
- An annual written report by the supervisor
- An annual summary conference between:
  - supervisor
  - teacher

*Boards must include but are not limited to the above.

Questions and Answers (continued)

When must the policies and procedures be distributed?	October 1, 1979
When must amendments to the above be distributed?	Ten (10) working days after adoption
What will the annual summary conference include?	• A review of performance based on job description • A review of progress toward objectives of the individual professional improvement plan • A review of indicators of pupil progress and growth toward program objectives • A review of the annual written performance report - signed within (5) working days of the review
Who will develop the annual written performance report?	The supervisor who participated in the evaluation of the teacher
What will the written annual performance report include?	• Identified performance areas of strength • Identified areas needing improvement based on job description • A professional improvement plan • A summary of available indicators of pupil progress and growth - in relation to effectiveness of the overall program - in relationship to the performance of the teacher • An opportunity for the evaluatee to enter performance data within 10 working days after the signing of the report

Questions and Answers (continued)

When must the policy be developed?	The policy shall be developed during the 1978-79 school year.
When will the policy be operational?	The policy shall be operational September 1, 1979.

SECTION II

THE EVALUATION OF STAFF

CHAPTER 5. NJSBA SUGGESTIONS ON STAFF EVALUATION

CHAPTER 6. NJSBA/RBS SUGGESTIONS FOR LOCAL DISTRICT ACTIONS

INTRODUCTION

Section I of this Handbook presented the new regulation, NJAC 6:3-1.21 for the evaluation of tenured teachers. It emphasized the Roles and Responsibilities of Board members and chief school administrators and the need to develop a customized Management Plan for the process. Now, we turn our attention to a more in-depth consideration of Evaluation as it relates to tenured teachers.

This section presents:

- NJSBA's Suggestions on Staff Evaluation
- NJSBA's/RBS Suggestions for Local School District Action

Careful examination by the reader will verify that they are consistent with the NJAC 6:3-1.21 and the suggested guidelines developed by the New Jersey State Department of Education. Further, the material to follow flows directly from Section I of this Handbook wherein NJAC 6:3-1.21 and the Department guidelines are examined to insure that the recommended roles and responsibilities of board members and chief school administrators are clear and concise. What is being recommended is a process through which board members and the chief school administrator, in consultation with tenured teaching staff members, may develop appropriate policies and procedures. Again, all board members, administrators, and teachers are urged to review the Assumptions that opened this Handbook and to be cognizant of the comments by Commissioner Burke.

Finally, this section raises questions about critical factors related to:

- Preparing written policy and procedures
- Developing job descriptions
- Evaluating the superintendent
- Evaluating the Board of Education
- The legal framework of staff evaluation
- The relationship of negotiations and staff evaluation

Each of these factors will be addressed in separate chapters in Section III of this Handbook. Efforts have been made to effectively cross-reference material from Sections I and II, thus insuring ease of use and maximum practicality.

CHAPTER 5

NJSBA'S SUGGESTIONS ON STAFF EVALUATION

INTRODUCTION

This Chapter presents an overview of NJSBA's suggestions on Evaluation based on two primary purposes:

- To assist the self-improvement of the individual whose performance is being evaluated.
- To provide the information needed to render sound employment decisions.

These purposes are consistent with those included in NJAC 6:3-1.21(b). This chapter has been included here to insure that Board members, chief school administrators, and teachers have a clear and concise understanding of NJSBA's perspective on staff evaluation.

BACKGROUND

One of the most important tasks of the board of education is to insure that it maintains a high quality staff. The success of a school district depends on the quality of staff performance. A major mechanism for determining and improving staff quality is staff evaluation.

Staff evaluation procedures vary greatly across the state. There are in fact, a myriad of procedures employed. Examination of the reasons for the differences provides much insight into the problems associated with the development and implementation of quality staff evaluation procedures.

-1- Staff evaluation is primarily an administrative undertaking. The normal constraints on a district's operation-time, financial resources, staff availability and "know how", coupled with the increased administrative burdens under T&E, -impede the ability of some school districts to undertake comprehensive staff evaluation.

-2- Inadequate training and insufficient motivation of some administrative personnel in the area of staff evaluation sometimes frustrates the desire of some local boards to conduct meaningful staff evaluation. Curriculum experts, guidance and counseling experts or even state certified "supervisors" do not necessarily possess the knowledge and understanding needed to design and conduct good staff evaluation.

-3- The enactment of the collective negotiations laws for public employees has drastically altered the traditional collegial relationship between administrative and instructional staff members. Yet, to maintain an environment of "peaceful co-existence" with the people with whom they spend most of their working hours, some administrators still tend to shy away from judgments about the performance of those they supervise. These reservations persist despite the fact that continued poor performance by employees often serves as an indicator of the performance of the administrator.

-4- Experiences with New Jersey's tenure laws and dismissal procedures has had the effect of neutralizing motivation to commit resources and energy to meaningful staff evaluation. Though by no means impossible or unreasonably complicated, good staff evaluation does require considerable effort. Many school districts have asked themselves whether such a commitment is warranted in light of the multiple, and seemingly insurmountable, protections afforded to tenured personnel in New Jersey. In addition, statutes and regulations governing the evaluation of non-tenured teachers and obstacles to the process resulting from the bargaining of employee contracts have made staff evaluation even more difficult. Nonetheless, there are school districts in New Jersey (and other states) that do conduct meaningful staff evaluations. These districts often find that meaningful staff involvement promotes the kind of professional perseverence necessary for self-development.

PROCEDURES AND RECORD KEEPING

An examination by the NJSBA of evaluation procedures and record keeping systems used throughout the state has produced a design for district staff evaluation procedures that is useful, practical and fair. (The procedure is not meant for superintendents. The evaluation of the chief staff member of the "Management Team" should be based on collectively determined "job targets" which evolve directly from the district's goals and objectives - See Chapter 9) This examination has led to the conclusion, that while difficult, it is possible to undertake productive staff evaluations.

The evaluation of staff is conducted for two primary purposes:

-1- To assist the self-improvement of the individual whose performance is being evaluated; and

-2- To provide the information needed to render sound employment decisions.

The evaluation process results in judgments; judgments that must be consistent. The criteria used to judge staff performance must themselves be consistent and be consistently applied. These judgments must also be documented and the reasons must be recorded and accessible to the decision-makers and to the individual whose performance has been judged.

Perhaps the most fundamental principle governing proper evaluation procedures is the necessity for clear and common understanding of the responsibilities for which the individual will be evaluated. It is essential that both the employee and the employer understand the purpose(s) for the individual's employment. For this reason, a written job description authorized by the board, that clearly delineates the functions of the position, is a prerequisite for well-conceived staff evaluation procedures. The determination of the content of a job description is the responsibility of the board and, other than basics like certification, is not prescribed by the state; nor should it be bargained at the table. It is inappropriate and counter-productive to judge whether an individual has fulfilled responsibilities if that individual is not aware of the responsibilities he or she is expected to fulfill.

JOB DESCRIPTION DEFINED

Job descriptions contain the areas of responsibilities for which performance will be evaluated. Collectively, these "job functions" describe the responsibilities with which the employee has been entrusted. They are the reasons for which the position was created and the purposes for which the employee is paid. Virtually every theory of personnel management, from "autocracy" through "organizational development" to "participatory decision-making" requires that these expectations be known by both the employer and the employee.

EVALUATION -- INDICATORS OF EFFECTIVENESS

A job description establishes the responsibilities of all employees in a given position. Evaluation criteria which evolve from the job description apply to the performance of both tenured and non-tenured individuals in a given position. These criteria, sometimes called "performance indicators," "performance objectives," or a host of other labels, are indicators of effectiveness. They are used to determine whether individuals are successfully accomplishing the "job functions" contained in their job description. "Indicators of effectiveness" are developed for, and related to, each job function. They are used to guide the observation of performance, the collection of information about performance from sources other than classroom observation, and the documentation of judgements about performance.

checklist against which the performance of an employee with a given set of "job functions" is appraised. Indicators of effectiveness are usually developed by a task force composed of the evaluators and the individuals serving in the positions to be evaluated. Community and student representatives can also contribute to the identification of indicators. The exact composition of any such task force is a policy decision. It must be made with consideration of available resources and individual district characteristics. It is therefore, a decision which can best be made by the board and its chief school administrator.

EVALUATION -- REPORTING IS THE KEY

The key to the productive use of a staff evaluation, by both the individual being evaluated and personnel decision-makers, is the content of the evaluation report. Decisions about self-improvement or employment will only be as good as the information upon which those decisions are based. The evaluation report is most useful if it is constructed as a narrative in which the individual's strengths and needs are identified for each job function delineated in the job description. Every judgement of "strength" or "need" should be supported by examples. The "indicators of effectiveness" can be used by the evaluator as a guide for selecting and recording examples for inclusion in a narrative report. In any instance where performance in a job function is evaluated as a "need", specific suggestions should be included in the narrative report to assist the individual evaluated to improve performance. The well-meaning but misguided practice of some supervisors who discuss needs in conference but do not include them in the written record is an invitation to disaster. State rules governing the evaluation of nontenured staff already necessitate written documentation of judgments. Employees are entitled, upon request, to a written statement of reasons for nonrenewal. A reading of these nontenured staff regulations, with special attention to procedures for "appearances" before the board, is more than sufficient to bring home this point.

It is also important to recognize the distinction between observation and evaluation. These two terms are often mistakenly used interchangeably. Observation is the on-site study of the performance of an individual. In teacher evaluation, this study involves the presence of the evaluator in a classroom for a specified period of time on a specified number of occasions. Judgments made by the evaluator during the observations become a part of the total evaluation. Evaluations must and should consider areas of performance outside of classroom responsibilities. In sum, this approach to productive staff evaluation consists of:

-1- Developing job descriptions

-2- Identifying performance areas within job descriptions

-3- Identifying "job functions" within the performance areas

-4- Determining "indicators of effectiveness"

-5- Developing "checklists" to guide evaluators

-6- Authoring a narrative report based upon the "indicators of effectiveness" for each job function.

It represents a procedure which can provide the kind of implementation required to encourage employee self-improvement and to render sound employment decisions. Such procedures are neither new nor unworkable. Yet, many districts do not utilize this knowledge. Perhaps, then, the first step for any district seeking to implement such a procedure is to determine why one is not already in effect.

CHAPTER 6

NJSBA'S SUGGESTIONS FOR LOCAL SCHOOL DISTRICT ACTION

INTRODUCTION

With Section I, plus the NJSBA's suggestions on Staff Evaluation understood, an in-depth review of the regulation is in order. While the Management Plan in Section I-Chapter 4 highlights, in step by step format, the implementation of the regulation, this chapter expands and elaborates on the implementation process. Each sub-section of NJAC 6:3-2.21 is considered in greater detail with suggested approaches and a series of matrix exhibits. In essence, an overall process is developed and recommended to boards of education and chief school administrators. There are other approaches and different techniques and methods that can be utilized; therefore, like the State Department of Education, NJSBA and RBS present this Handbook, and particularly this chapter, as a suggested process for the preparation of policies and procedures as required by NJAC 6:3-1.21.

BACKGROUND

The development of a "thorough and efficient" educational program for each school system has been clearly set forth as a major New Jersey State priority. Over the past two years, New Jersey school districts have invested great amounts of time and effort in developing relevant community educational goals and objectives and programs to accomplish these goals.

One of the most important factors that determines whether a school system achieves its goals is the performance of its school staff. Recognizing this, the New Jersey Administrative Code establishes the responsibility of local boards of education to develop and adopt policies for the evaluation of school staff. Policies should clearly set forth guidelines and procedures for the evaluation of all teaching staff members, tenured and nontenured.

For local districts to comply with requirements for the development and implementation of such policies, it will be necessary for them:

- To establish clear priorities for defining what shall be evaluated.
- To organize guidelines and procedures for carrying out the evaluation process.
- To develop a decision-making sequence that will accomplish these objectives within the required deadlines.

The purpose of this handbook, and specifically this chapter, is to assist boards of education and their staff members to achieve these objectives in a manner that promotes the formulation of policies and procedures that are practical, productive, fair, and credible.

Section I of this handbook presents a suggested step-by-step guide (Management Plan) to facilitate district action. The language, definitions, and suggested action sequences are consistent with the provisions of Title VI of New Jersey's administrative rules.

This chapter sets forth detailed activities in narrative format for the development of local district policies. Districts are not limited to the use of these in formulating their school staff evaluation policies. However, districts are encouraged to view the activity sequences as suggested options that could be of use in planning for compliance with state requirements. Local districts should customize their approaches by adding, deleting, and combining, to develop an action plan that is specially designed to meet local needs and expectations.

PURPOSE OF TEACHING STAFF EVALUATION

As noted earlier, the primary purpose of evaluating teaching staff members is to enhance their professional performance so that student learning will be maximized. When viewed in this light, evaluation may be seen as a motivational technique to encourage teaching staff members to strengthen their professional skills.

While written performance reports will provide a basis for the review of performance and these reviews will serve as the basis for personnel decisions, under no circumstances should the intent of the evaluation process be viewed as punitive in nature. The State Administrative Code clearly states the purposes of evaluation:

-1- Promote professional excellence and improve the skills of teaching staff members.

-2- Improve student learning and growth.

-3- Provide a basis for the review of performance of tenured teaching staff members. (NJAC 6:3-1.2(b).)

The code is quite clear in specifying answers to two questions:

Who Shall Be Evaluated?

The term "teaching staff member" applies to every person holding a position on the staff of the school system for which professional certification is required. This includes administrators (excepting the chief school administrator), support personnel, and the instructional staff. In short, anyone who has a role which calls for the exercise of professional skills and knowledges within the educational enterprise is to be evaluated.

Who Shall Evaluate?

In the case of all members of the teaching staff the board is responsible for the development of policies for evaluation. Policies govern the actions of the appropriately certified supervisory and/or administrative staff as they carry out evaluations. The administrative code requires evaluation to be conducted only by certificated supervisors.

Once policy is developed and adopted, the principle responsibility of the local board is to monitor the professional staff to insure that the policy is, in fact, being carried out as intended. Because the board is vested with the authority to employ personnel, the board should be sure that the recommendations of its administration are based on valid and reliable information.

In the case of the chief school administrator, the local board is charged with full responsibility for the evaluation. This includes not only policy, but the development of evaluation procedures and systematic follow-through to assure that they are carried out.

While procedures for evaluating the chief school administrator are addressed elsewhere in this handbook, it should be noted that it is best viewed as a cooperative process between the board and the superintendent. One effective model for achieving this is basing judgments about the superintendent's performance on progress toward established objectives, demonstration of executive skills, and the boards own performance. While the superintendent, like other members of the administrative team is statutorily defined as a "teaching staff members" they are excluded from the new code governing tenured teacher evaluation. Additionally, boards will probably find it more productive to approach the evaluation of all district administrators in the same manner as the superintendent.

DEVELOPING EVALUATION POLICY

The development of policies for the evaluation of district tenured teaching staff is a task that may produce high levels of anxiety, particularly among staff members who may regard it as a threat to historic security. Becuase of this, district leadership should be sensitive to the need to carry out their responsibilities with particularly high levels of discretion, prudence, and judgment.

Administrative Code requires that evaluation "policies and procedures be developed under the direction of the chief school administrator in consultation with tenured teaching staff members." (NJAC 6:3-1.21(c).

This is a particularly important requirement that emphasizes what is commonly regarded as "good" policy practice. The manner in which policy is determined can have great impact on the way the evaluation process will be viewed by teaching staff members, and hence on its effectiveness in contributing to the ultimate goal of improving instruction.

Of particular importance to this issue is the emphasis placed on continuously improving the performance of the individual being evaluated. All professional organizations in education whether they are comprised of teachers, supervisors, administrators, or board members have consistently acknowledged the need for the continuing professional growth of teaching staff members. The evaluation process of the local district should be developed cooperatively with teaching staff members in a fashion that emphasizes this intent. It is possible to develop procedures that will assist members of the teaching staff to improve the quality of their professional performance by serving as a basis for appropriate self-improvement.

While the use of performance evaluation information in personnel decisions should not be unduly emphasized, neither can it be ignored. Professionals that have demonstrated a level of skill, knowledge and attitude that have earned them tenure in a district have a responsibility to maintain quality of performance. Districts have an obligation to recognize their investment in these professionals and provide both opportunity and assistance to their efforts to improve. It is good personnel practice to seek to remedy problems before seeking to separate them. The failure to make reasonable improvements in performance is a more justifiable cause for a negative personnel decision than is the failure to perform. Evaluation procedures provide the information required both for professional improvement and personnel decisions.

In this light, local district evaluation policies should require verifiable professional performance criteria that are appropriate to the particular job including, but not limited to, factors such as the staff member's ability to demonstrate mastery of relevant:

- Knowledges
- Skills
- Instructional effects

In addition, the policy should take into consideration related factors, such as:

- attendance
- working relationships with administrative staff, students and community

Evaluation is not a popularity contest. It is an assessment of professional performance, and it must be viewed as such by all concerned if it is to be an effective tool in the educational process.

DEVELOPING THE DISTRICT-WIDE EVALUATION POLICIES AND PROCEDURES

In NJAC 6:3-1.21 (a) each board of education is required to "adopt policies and procedures requiring the annual evaluation of all tenured teaching staff members by appropriately certified personnel (NJSA 18A:1-1; NJAC 6:11-3.4)." The balance of NJAC 6.3-1.21 sub-sections (b), (c), (d), (e), (f), (g), and (h) set forth the requirements that must be completed in order to successfully comply with the regulation. To provide board members, administrators and teachers with clear and concise guidelines for the preparation of policies and procedures, sub-sections (b) through (h) will be treated as components of a process.

In Section I of this Handbook, the "Guidelines to Assist Local School Districts to comply with NJAC 6:31-1.21 were presented. These guidelines are commended to the reader as a point of departure and will serve as a foundation for what is to follow. Just as in the Management Plan presented in Section I, the components included here are consistent with the State Department of Education Guidelines and are founded in the Assumptions presented earlier.

Obviously, several of the sub-sections of NJAC 6:3-1.21 need little if any guidelines. They are, in reality, --written in guideline terminology. However, we are including them to insure consistency and continuity with the NJAC. As noted earlier, the Management Plan in Section I was developed in the same manner.

Now, the actual components to follow offer a Process through which to comply with NJAC 6.3-1.21:

Components	Regulation'
Component #1: Purpose	Sub-section (b) of NJAC 6.3-1.21 PURPOSE
Component #2: Policies and Procedures	Sub-section (c) of NJAC 6.3-1.21 POLICIES AND PROCEDURES C1 Roles and Responsibilities C2 Job Descriptions C3 Methods of Data Collection and Reporting C4 Observation Conferences C5 Provision for Use of Additional Certified Personnel C6 Preparation of Individual Professional Improvement Plans C7 Preparation of an Annual Written Performance Report
Component #3: Distribution	Sub-section (d) of NJAC 6.3-1.21 DISTRIBUTION
Component #4: Annual Summary Conference	Sub-section (e) of NJAC 6.3-1.21 ANNUAL SUMMARY CONFERENCE • Job Description • Individual Professional Improvement Plan • Indicators of Pupil Progress and Growth • Annual Written Performance Report
Component #5: Annual Written Performance Report	Sub-section (f) of NJAC 6.3-1.21 ANNUAL WRITTEN PERFORMANCE 1. Performance areas of strength 2. Performance areas needing improvement

Components	Regulation
Component #5: (Continued)	3. Individual Professional Improvement Plan 4. Summary of available pupil progress indicators and their relationship to the effectiveness of the overall program and the performance of the individual teaching staff member. 5. Provisions for additional performance data to be entered into the record by the evaluatee within 10 days after signing the report.
Component #6: Development of District Evaluation Policies	Sub-section (g) of NJAC 6.3-1.21 DEVELOPMENT OF LOCAL BOARD OF EDUCATION POLICIES
Component #7: Glossary	Sub-section (h) of NJAC 6.3-1.21 DEFINITIONS

Component #1: The component presents suggestions for the completion of sub-section (b) of NJAC 6:3--1.21 -- PURPOSE. The Rules and Regulations clearly set forth the purpose of the annual evaluation.

-1- Promote professional excellence and improve the skills of teaching staff members.

-2- Improve student learning and growth.

-3- Provide a basis for the review of performance of tenured teaching staff members.

Component #2: This component presents suggestions for the completion of sub-section (c) of NJAC 6:3-1.21 -- POLICIES AND PROCEDURES. Policies and procedures requires a series of decisions. These decisions involve establishing direction, identifying alternatives, and then selecting from the alternatives. This chapter presents each of the decision areas of the development process to facilitate decisionmaking, the major options in each area are presented on forms which can be used as "tools" by district decisionmakers.

The decision areas are:

C1: Roles and Responsibilities
C2: Job Descriptions
C3: Methods of Data Collection and Reporting
C4: Observation Conferences
C5: Provision of Use of Additional Certified Personnel
C6: Preparation of Individual Professional Improvement Plans
C7: Preparation of an Annual Written Performance Report

This component is one of the three most crucial to the regulation. Accordingly, Exhibit 1, on the following npage, has been prepared to highlight the requirements and the possibility of added procedures if desired.

EXHIBIT #1

POLICIES & PROCEDURES CHECKLIST

NJAC 6:3-1.21 Regulation		Required	Addition	Completed
(c)1.	Roles and responsibilities for implementation of the policies and procedures.	X		
(c)2.	Development of job descriptions and evaluation criteria based upon local goals, program objectives and instructional priorities.	X		
(c)3.	Methods of data collection and reporting appropriate to the job description including, but not limited to, observation of classroom instruction.	X		
(c)4.	Observation conference(s) between the supervisor and the teaching staff member.	X		
(c)5.	Provision for the use of additional appropriately certified personnel where it is deemed appropriate.	X		
(c)6.	Preparation of individual professional improvement plans.	X		
(c)7.	Preparation of an annual written performance report by the supervisor and an annual summary conference between the supervisor and the teaching staff member.	X		
(c)8.	Other		X	

Directions: The regulation column lists those items contained in NJAC 6:3.1.21(c), including (c)8 which permits the chief school administrator, in consultation with tenured teaching staff members to include other procedures they deem essential. Columns 2 and 3 merely indicate what is required and where you may include other procedures. It should be noted that many procedural aspects of evaluation are normally considered mandatorily negotiable terms and conditions of employment (See Chapter 3 for more information). Column 4 should be checked when the sub-section of the regulation is completed.

Each of the seven parts of sub-section (c) Policies and Procedures, is presented in greater detail utilizing portions of the State Department of Education's "Guidelines."

(C)1 - Roles and Responsibilities for implementation of the policies and procedures.

The State Department of Education Guidelines set forth three key points:

-1- The evaluation policy procedure should clearly state the responsibility of the evaluator to the evaluatee.

-2- The evaluation policy procedure should state to whom and each person is responsible in the evaluation process. The accountability relationship of each position should be clearly determined.

-3- Responsibilities for the monitoring of the evaluation policies and procedures should be clearly set out and provisions made for a periodic review of the program by the board of education.

The regulation is quite specific as to the responsibility for the development of the Policies and Procedures. It clearly designates the chief school administrator, in consultation with tenured teaching staff members, as having primary responsibility for planning and carrying out this phase of the regulation.

Exhibit #2 which follows is a planning tool which will enable board members to understand better the specific tasks involved in planning and implementing the elements involved in developing the policies and procedures. Use of this matrix as indicated can aid districts in their decision-making concerning what is involved in the process.

EXHIBIT #2: This planning tool is a matrix for identifying the roles and responsibilities of various groups and/or individuals in (1) planning the staff evaluation policies and procedures and (2) implementing the staff evaluation policies and procedures.

DIRECTIONS: Review the suggested process step responsibilities outlined for the planning and implementation. Incorporate additional responsibilities where necessary. Then examine the groups and/or individuals listed in the grid and indicate where they might have a role with respect to certain responsibilities by using the key provided in the upper left hand portion of the matrix:

1 = Primary Responsibility for Process Step

2 = Secondary Responsibility for Process Step

3 = Consulted during Process Step

The responsibility for the completion of staff development plans will be addressed in C(6) Preparation of Individual Profesional Improvement Plans.

EXHIBIT #2
ROLES AND RESPONSIBILITIES
DEVELOPING THE POLICIES AND PROCEDURES FOR THE STAFF EVALUATION PROCESS

KEY

1 Primary Responsibility for Process Step
2 Secondary Responsibility for Process Step
3 Consulted During Process Step

PROCESS STEP RESPONSIBILITIES	ROLES: STATE DEPARTMENT	COUNTY OFFICES	LICS	SUPERINTENDENT	SUPERVISOR DISTRICT LEVEL	PRINCIPAL	SUPERVISOR BUILDING LEVEL	TEACHERS	STUDENTS	COMMUNITY	BOARD
1. PLANNING STAFF EVALUATION POLICIES AND PROCEDURES											
A. Review requirements of regulation.											
B. Establish foundations of teacher evaluation.											
C. Establish criteria for teacher evaluation.											
D. Select methods for collecting teacher evaluation data.											
E. Identify participants to be involved in collection of teacher evaluation data.											
F. Specify roles and responsibilities related to implementation of teacher evaluation process.											
G. Establish teacher evaluation policy.											
2. IMPLEMENTING STAFF EVALUATION POLICIES AND PROCEDURES											
A. Organize personnel responsible for collecting teacher evaluation data.											
B. Provide training in evaluation methods.											
C. Establish procedures to be used in collecting evaluation data.											
D. Collect evaluation data.											
E. Analyze evaluation data.											
F. Synthesize evaluation data.											
G. Make recommendations for staff development based upon evaluation data.											
H. Develop report of evaluation data and recommendations for staff development.											
I. Review/discuss report with individual being evaluated.											
J. Provide opportunities for response by individual being evaluated.											
K. Compile/Synthesize evaluation reports by school/district.											

EXHIBIT #2
ROLES AND RESPONSBILITIES
DEVELOPING THE POLICIES AND PROCEDURES FOR THE STAFF EVALUATION PROCESS
(Continued)

KEY

1 Primary Responsibility for Process Step
2 Secondary Responsibility for Process Step
3 Consulted During Process Step

PROCESS STEP RESPONSIBILITIES	ROLES											
	STATE DEPARTMENT	COUNTY OFFICES	EIES	SUPERINTENDENT	SUPERVISOR-DISTRICT LEVEL	PRINCIPAL	SUPERVISOR-BUILDING LEVEL	TEACHERS	STUDENTS	COMMUNITY	BOARD	
3. DESIGNING STAFF DEVELOPMENT PROGRAMS												
A. Develop specific goals, objectives and standards for staff development program(s).												
B. Identify requirements for staff development program(s).												
C. Establish cost/effectiveness criteria for staff development programs.												
D. Search for alternative staff development program(s) or develop program(s).												
E. Select most cost-effective program(s) for implementation.												
F. Develop plan for recording satisfactorily completed staff development program(s).												
G. Develop plan for evaluating cost/effectiveness of staff development program(s).												
H. Secure board approval of staff development plan(s).												
I. Submit staff development plan(s) to County Office.												

(C)2 - Job Descriptions and Evaluation Criteria based upon local goals program objectives and instructional priorities.

The State Department of Education Guidelines set a clear course of action to follow in developing job descriptions and evaluation criteria. It is recommended, however, that the material to follow be incorporated into the process. In addition, Section III of this Handbook contains a chapter on developing a job description.

The Administrative Code specifically requires job descriptions. A number of other elements may be considered in determining evaluation criteria that are to be based upon local goals, program objectives and instructional priorities. Elements to be considered include, but are not limited to:

- Instructional Processes, (Teaching Methods, Techniques and Knowledge of Subject Area)
- Instructional Outcomes (Student Progess and Growth)
- Professional Growth and Improvement Objectives

In order to begin to identify the specific elements to include in an evaluation policy and procedure, districts must weigh each carefully along with any others that may be suggested. Decisions must be made as to relative importance in light of local district considerations, such as the district educational goals developed as part of the T&E Process.

Job Descriptions

Before it is possible to evaluate an individual teaching staff member's job performance, it is necessary for both that individual and the evaluator to have a clear and common understanding of the specific tasks and duties for which the individual is responsible within that job. It is essential that both the staff member and the evaluator understand for what purpose(s) the staff member is employed. For this reason, a written job description, authorized by the local board of education which clearly delineates the functions of the position is a prerequisite for well-conceived staff evaluation procedures. It is inappropriate and counter-productive to attempt to judge whether a teaching staff member has fulfilled responsibilities if that individual is not aware of the responsibilities he or she is expected to fulfill.

Within the job description are the areas of responsibility in which performance will be evaluated. Collectively, these "job functions" describe the responsibilities with which the staff member has been entrusted. They are the reasons for which the position was created and the purposes for which the staff member is employed.

The job description establishes the responsibilities of all teaching staff members in a given position whether tenured or untenured. Because it establishes these responsibilities, the job description can serve as a basis for developing evaluative criteria for the position against which the performance of any given staff member can be judged. Job descriptions are discussed in greater detail in Chapter 8.

The evaluation criteria which evolve from the job descriptions apply to the performance of all individuals in given positions. These criteria, sometimes called "performance indicators", "performance objectives," or a host of other labels are "indicators of effectiveness." They are used to determine whether individuals are successfully accomplishing the "job functions" contained in their job description.

"Indicators of effectiveness" are developed for, and related to, each job function. They are discernable and/or observable. The evaluator must be able to document their attainment. Collectively, they serve as a basic checklist against which the performance of a teaching staff member is appraised. They assist in promoting evaluation judgements that are not based on only "one beholder's eye for beauty."

Instructional Processes

Instructional processes have to do with subject matter skills and knowledges along with teaching and or professional methods and techniques. They comprise the basic professional abilities the teaching staff member must possess and be able to demonstrate if he/she is to perform successfully in a given position. They can be determined by analysis of the specific job functions contained in the job description, and they usually constitute the minimal set of performance skills necessary for the individual teaching staff to successfully accomplish the expectations of the position.

Instructional Outcomes

Instructional outcomes apply to the level of student progress and growth that is expected to result from a particular instructional program -- that is, increases in the ability of students to perform certain tasks or exhibit certain knowledges at desired levels of proficiency. These targets can be identified from the outcome goals established by the local district as part of the T&E Process and the instructional objectives which have evolved from these goals for any given course, subject, class, grade, or program of study in which the teaching staff member is involved.

It is essential to recognize that indicators of pupil progress and growth are only one of many considerations in making judgements about teacher performance. The measures of pupil progress and growth available to the teacher to make judgments about pupils, curriculum, and instructional methods should be considered in assessing teacher effectiveness. The nature of measures available will vary depending upon the nature of the subject, grade level, and instructional approach. For example, an art teacher may use "student products" to determine whether a student is making satisfactory progress while a math teacher may be more likely to use various "paper and pencil tests." In any event, the district's policy must clearly spell out the evaluator's responsibility to interpret the meaning of these measures to program and teacher effectiveness within the context of many related variables such as, student characteristics, instructional resources available, program design, etc.

Professional Growth and Improvement Objectives

Professional growth relates to the continuing development by the teaching staff member of subject matter skills and knowledges and teaching and/or professional methods and techniques that relate to his or her particular job responsibilities. For example, a tenured teaching staff member who is involved in in-service activities or advanced graduate courses demonstrates a certain commitment to enhancing his or her performance abilities. Often, but not always, such a commitment translates to improved professional performance within the particular job functions for which the individual is responsible to the school district.

EVALUATION CRITERIA

As the district develops policies and procedures, it must decide what criteria for evaluation it wishes to include.

The Administrative Code does not contain a list of mandated specific criteria. The selection of criteria is the responsibility of local school districts. Possible criteria for teaching staff evaluation may be grouped into four general categories:

- Knowledges
- Skills
- Instructional Effects
- Professional Activities

Virtually all relevant criteria for judging staff performance can be clustered under one or another of these categories.

The following descriptions of each category are presented to aid districts in reaching decisions about what criteria to include in the staff evaluation policies and procedures.

Knowledges: "Knowledges" covers knowledge of subject matter and knowledge of professional areas that the (e.g., learning theory) teaching staff member must be able to demonstrate if he or she is to fulfill the job functions set forth in the job description for his/her position.

Skills: "Skills" applies to those abilities (e.g. teaching skills management skills, planning skills, etc.) that the individual teaching staff member must be able to utilize if he or she is to fulfill the job functions set forth in the job description for his/her position in the local district.

Instructional Effects: "Instructional Effects" involves the interactions the teaching staff member is expected to achieve with students and the student performance that occurs as a result of these interactions.

Professional Activities: "Professional Activities" has to do with evidence of relevant continuing professional development that the teaching staff member demonstrates as part of his or her professional involvement.

As can be seen, the definitions are broad in character, but they cover the areas of mastery and competence teaching staff members can be reasonably expected to demonstrate. As a result, they can form the basis for action in developing the local district's criteria for functions delineated in the job description. This, in essence, constitutes the second step in developing an overall evaluation policy.

To carry out this second step, districts should give serious consideration to the relevance of each of the four categories to any given job function. Districts should then determine what specific indicators of effectiveness can be used as the basis for evaluation judgments as to whether performance is satisfactory. A sample breakdown of the four general categories of performance criteria is presented in Exhibit 3. The purpose of this exhibit is to familiarize decision-makers with alternatives. It is not meant to be a checklist for board members to complete with each teacher.

EXHIBIT #3

SELECTIVE DESCRIPTIVE CRITERIA

K	●	Yes
E	▲	Possible
Y	X	No

CLUSTERS OF POSSIBLE CRITERIA	CHOICE	DESCRIPTION OF CRITERIA
A. KNOWLEDGE		A. KNOWLEDGE
1. Knowledge of Subject Matter	1.	1.
2. Knowledge of Learning Theory	2.	2.
3. Knowledge of Instructional Methodology (Pedagogy)	3.	3.
4. Knowledge of Learning Psychology	4.	4.
5. Knowledge of Student Learning Characteristics	5.	5.
6.	6.	6.
7.	7.	7.
8.	8.	8.
B. SKILLS		B. SKILLS
1. Literacy (Verbal)	1.	1.
2. Literacy (Written)	2.	2.
3. Planning Skills	3.	3.
4. Organizational Skills	4.	4.
5. Pedagogical Skills	5.	5.
6. Motivational Skills	6.	6.
7. Assessment/Evaluation Skills	7.	7.
8. Diagnostic Skills	8.	8.
9. Management Skills	9.	9.
10. Problem-Solving Skills	10.	10.
11. Communications Skills	11.	11.
12. Materials Selection Skills	12.	12.
13. Materials Design/Development Skills	13.	13.
14. Instructional Implementation Skills	14.	14.
15. Record-Keeping Skills	15.	15.
16.	16.	16.
17.	17.	17.
18.	18.	18.
19.	19.	19.
20.	20.	20.

EXHIBIT #3 (Continued)

SELECTIVE DESCRIPTIVE CRITERIA

CLUSTERS OF POSSIBLE CRITERIA	CHOICE	DESCRIPTION OF CRITERIA
C. INSTRUCTIONAL EFFECTS		C. INSTRUCTIONAL EFFECTS
1. Student Interactions - Affective	1.	1.
2. Student Interactions - Cognitive	2.	2.
3. Student Performance Outcomes - Affective	3.	3.
4. Student Performance Outcomes - Cognitive	4.	4.
5.	5.	5.
6.	6.	6.
7.	7.	7.
8.	8.	8.
D. PROFESSIONAL ACTIVITIES		D. PROFESSIONAL ACTIVITIES
1. Participation in Professional Conferences	1.	1.
2. Committee Participation	2.	2.
3. Extracurricular Activities	3.	3.
4. Community Activities	4.	4.
5. Professional Writing	5.	5.
6. Research Activities	6.	6.
7. Course Work	7.	7.
8.	8.	8.
9.	9.	9.
10.	10.	10.

(C)3 - Methods of Date Collection and Reporting.

The State Department of Education Guidelines contain three key points:

-1- Data on performance can be collected through observation, interviews, records, reports, judgement of supervisory personnel, and self evaluations. The methods selected should be appropriate to the criteria being employed and the responsibilities being evaluated.

-2- The regulations require at least one observation but do not specify what other data collection procedures should be used.

-3- Observations should be long enough to permit the supervisor to observe a complete performance by the teaching staff member. If possible, multiple observations that each focus on different areas of responsibility are desirable.

To assist districts in selecting the most appropriate data collection methods a list of the most common and widely used data collection methods has been prepared. This list includes, but is not limited to:

- Anecdotal Records
- Work Samples
- Unobtrusive Measures
- Observations
- Teacher Tests
- Review of Personnel File
- Interviews
- Questionnaire Surveys
- Review of Records
- Self-Appraisal
- Standardized Testing of Students
- Criterion-Referenced Testing of Students
- Domain-Referenced Testing of Students
- Review of Unit/Lesson Plans
- Professional Interactions
- Evaluative Comments

It is important to recognize that while an assortment of sources of evaluation information are available, judgments about the relevancy and meaning of evaluation information from any source must be made by an appropriately certificated professional. These judgments and the basis for them, should be included in a written performance report prepared by "a certificated supervisor who has participated in the evaluation of the teaching staff member." (NJAC 6:3-1.2(f).)

Exhibit #4 displays possible data collection methods on a matrix that enables districts to consider the various methods of data collection and to select those that may be appropriate to each of the teacher evaluation criteria that will have been selected in Component #2 (Exhibit 3) The completion of this matrix will aid districts in making these selections.

EXHIBIT #4 Exhibit 4 is a matrix for determing the methods appropriate for collecting teacher evaluation data in terms of the criteria from the possibilities developed in Exhibit #3.

DIRECTIONS: After the teacher evaluation criteria have been chosen and the possible methods of collecting teacher evaluation data considered, the grid provided in this matrix will be of value in selecting the methods of collecting data. Consider which method(s) are appropriate to each of the teacher evaluation criteria you have selected in terms of (1) potential for supplying valid and reliable data for teacher evaluation and (2) reasonable demands on local school/district time, staff, knowledge and skills, funds. Use a dot (●) to indicate those methods which are definitely appropriate to specific criteria. Use a triangle (△) to indicate those methods which might possibly be appropriate. Use an (x) to indicate those methods which are definitely not appropriate.

In addition, Exhibit #5 is a matrix which might be of value to the Chief School Administrator, and the consulting tenured teaching staff members, in selecting others that might be involved in the data collection process.

EXHIBIT #4

SUGGESTED METHODS OF COLLECTING TEACHER EVALUATION DATA

KEY: • Yes, △ Possible, x No Suggested Methods	Criteria By General Category (See Exhibit #3 for Specifics)			
	A Knowledge	B Skills	C Instruc. Effects	D Prof. Activities
1. Anecdotal Records				
2. Work Samples (Teacher, Student)				
3. Unobtrusive Measures				
4. Observation				
5. Teacher Tests (Knowledge, Pedagogy, Performance, Social Relations)				
6. Review of Personnel Files				
7. Interviews				
8. Questionnaire Surveys (Teacher, Student, Parent, Community)				
9. Review of Records (Pupil, Class, School)				
10. Self-Appraisal (Teacher)				
11. Standardized Testing of Students				
12. Criterion-Referenced Testing of Students				
13. Domain-Referenced Testing of Students				
14. Review of Unit/Lesson Plans				
15. Professional Interactions				
16. Evaluative Comments (Parent, Peer, Community, Student)				

EXHIBIT #5 Exhibit #5 is a matrix for helping to determine which groups and/or individuals might participate in the collection of teacher evaluation data, considering the method(s) of collecting evaluation data selected from Exhibit #4 and the evaluation criteria appropriate to each method.

DIRECTIONS: After the methods of collecting data appropriate to the job description have been chosen for all criteria selected, examine the groups and/or individuals suggested in the grid as possible participants in the collection of said data. Determine the appropriate kind of participation for each group and/or individual by considering each method (and related criteria), using the key provided in the upper left hand portion of the matrix:

1 = Collects Data

2 = Provides Data

(C)4 - Observation Conference(s) between the Supervisor and the Teaching Staff member.

The State Department Guidelines include a post-observation conference and indicate the desirability of a pre-observation conference. The inclusion of a pre-observation conference is recommended as it "permits" the supervisor and tenured teaching staff member to discuss what the purpose of the observation will be. In addition, this type of conference will "prevent" misunderstandings about what the tenured teaching staff member is attempting to do in that time period. The post-observation conference should "provide" the opportunity for feedback and coaching. NJAC 6:3-1.19 Supervision of Instruction: Observation and Evaluation of Non-Tenured Teaching Staff Members and NJSA 18A:27.3.1, 3.2, and 3.3 will add some further insights into the Observation Conference Conference(s). (See Appendix).

(C)5 - Provision for use of additional appropriately certified personnel where it is deemed appropriate.

The State Department of Education Guidelines indicate that "if immediate supervisor feels unqualified to make adequate judgments about the performance of a teaching staff member, an additional supervisor may be used." Further, they suggest that if an additional supervisor is utilized, it would be most desirable if the person has worked with the teaching staff member over a period of time. Consideration should also be given to the preparation of a Linear Responsibility Chart for each staff member to insure that the proper supervisor(s) are involved from the beginning. Exhibit 6 presents the framework for such a chart.

EXHIBIT #5
SUGGESTED PARTICIPANTS IN COLLECTION OF TEACHER EVALUATION DATA

Key

1. Collects Data
2. Provides data

	SUPERINTENDENT	SUPERVISOR - DISTRICT LEVEL	PRINCIPAL	SUPERVISOR - BUILDING LEVEL	TEACHERS	STUDENTS	PARENTS	INDIVIDUAL BEING EVALUATED	COMMUNITY
ANECDOTAL RECORDS									
Criteria									
1.									
2. Etc.									
WORK SAMPLES									
Criteria									
1.									
2. Etc.									
UNOBTRUSIVE MEASURES									
Criteria									
1.									
2. Etc.									
OBSERVATION									
Criteria									
1.									
2. Etc.									
TEACHER TESTS									
Criteria									
1.									
2. Etc.									

EXHIBIT #5 (Continued)

Key

1. Collects Data
2. Provides Data

REVIEW OF PERSONNEL FILES

Criteria	SUPERINTENDENT	SUPERVISOR - DISTRICT LEVEL	PRINCIPAL	SUPERVISOR - BUILDING LEVEL	TEACHERS	STUDENTS	PARENTS	INDIVIDUAL BEING EVALUATED	COMMUNITY
1.									
2. Etc.									

INTERVIEWS

Criteria									
1.									
2. Etc.									

QUESTIONNAIRE SURVEYS

Criteria									
1.									
2. Etc.									

REVIEW OF RECORDS

Criteria									
1.									
2. Etc.									

SELF APPRAISAL

Crit									
1.									
2. Etc.									

Key

1. Collects Data
2. Provides Data

	SUPERINTENDENT	SUPERVISOR – DISTRICT LEVEL	PRINCIPAL	SUPERVISOR – BUILDING LEVEL	TEACHERS	STUDENTS	PARENTS	INDIVIDUAL BEING EVALUATED	COMMUNITY
STANDARDIZED TESTING OF STUDENTS									
Criteria 1.									
2. Etc.									
CRITERION-REFERENCED TESTING OF STUDENTS									
Criteria 1.									
2. Etc.									
DOMAIN-REFERENCED TESTING OF STUDENTS									
Criteria 1.									
2. Etc.									
REVIEW OF UNIT/LESSON PLANS									
Criteria 1.									
2. Etc.									
PROFESSIONAL INTERACTIONS									
Criteria 1.									
2. Etc.									

Key

1. Collects Data
2. Provides Data

PROFESSIONAL INTERACTIONS	SUPERINTENDENT	SUPERVISOR – DISTRICT LEVEL	PRINCIPAL	SUPERVISOR – BUILDING LEVEL	TEACHERS	STUDENTS	PARENTS	INDIVIDUAL BEING EVALUATED	COMMUNITY
Criteria 1.									
2. Etc.									

EVALUATIVE COMMENTS

Criteria 1.									
2. Etc.									

EXHIBIT #6: Exhibit #6 is a matrix for determining who might be involved in the evaluation of teaching staff members.

DIRECTIONS: The Immediate Supervisor and teaching staff members should consider carefully who might be involved in the evaluations and include them on the Vertical Axis of the Grid. The teachers to be evaluated would be displayed on the vertical axis and appropriate coding (See Key) would be recorded.

EXHIBIT #6
LINEAR CHART OF RESPONSIBILITY FOR
TEACHER EVALUATION

Key:

A = Actual Responsibility
B = Must be Consulted
C = May be Consulted

	Certified Personnel					
Teachers	Superintendent	Assoc. or Asst. Superintendent	Program or Sub. Superintendent	Principal	Dept. Head, Dean or Chair-person	Teacher
1. Counselor - Grades 5-8						
2. First Grade						
3. Seventh Grade math						
4. Ninth Grade Social Studies						
5. Industrial Arts Grades 6-9						
6. Home Economics Grades 10-11						
7.						
8.						
9.						
10.						
11.						
12.						
Etc.						

The use of the linear chart of responsibility may present problems or even be unnecessary depending on the size of the school and/or district involved. But, it could help to eliminate the potential problem of involving a certified person too late in the evaluation process.

(C)6 - Preparation of Individual Professional Improvement Plans.

The State Department of Education guidelines suggest three steps:

-1- Individual improvement plans should be developed cooperatively by the supervisor and the teaching staff member and should be limited in their scope. They should focus on the most important needs of the individual.

-2- Wherever possible, these improvement plans should focus on local in-service programs or peer consultation in order to ensure easy access to the required assistance.

-3- The improvement plans should provide a basis for focusing the evaluation and coaching efforts of the supervisor in the subsequent year.

One additional consideration is recommended -- that the individual improvement plan should be formatted as an Action Plan.

EXHIBIT #7: Exhibit #7 is a short form model for the preparation of an action plan that could constitute the individual professional improvement plan.

DIRECTIONS: The immediate supervisor and the teacher would develop the form to follow for each identified need, which in turn becomes an objective. Then, for Need (Objective) they would add key events, responsibility and timelines.

EXHIBIT #7

PREPARING AN ACTION PLAN

Task or Objective _____

_____ (Write out the Task or Objective) _____

_____

Key Events	Responsibility	Timeline
-1- (Spell-out the events that must be accomplished in order to complete the Task or Objective - just Key Events, not fine details)	(Indicate who is to have the primary responsibility)	(Estimate a completion date)

Guidelines:

- Key events should range between 5 and 10 for each objective
- Responsibility should be limited to one person where at all possible
- Timeline should be based on your best judgement of how long the key event should take to complete

Once again, there are a variety of formats through which to develop the individual improvement plan; this is a suggested approach that is highly recommended.

(C)7 - Preparation of an annual written performance report by the supervisor and an annual summary conference between the supervisor and the teaching staff member.

The regulations contain clear and concise directions for the preparation of the annual written performance report (NJAC 6:3-1.21(f), as well as specific items that should be included at the summary conference (NJAC 6:3-1.21(e). In addition, the State Department of Education guidelines include several key points on each aspect:

Annual Performance Report

-1- The content of this report is clearly spelled out in the regulations. They should be written in a manner that encourages dialogue between the supervisor and the teaching staff member and which seeks solutions to problems.

-2- These reports provide an opportunity to note problems in a program or in support services as well as areas of weakness in the performance of the teaching staff member.

Annual Conference

-1- The annual conference is intended to provide for a total review of the year's work and to identify strategies for improvement.

-2- Adequate time should be allotted to cover the topics of discussion required by the code and to permit a full exploration of the possible solutions to any problems identified.

-3- One to one conferences are the most effective and protect the confidentiality of the discussion and the rights of both parties.

Component #3: This component presents guidelines for the completion of sub-section (d) of NJAC 6:3-1.21 -- DISTRIBUTION. As in Component #1, the rules and regulations clearly set forth that the distribution of the policies and procedures to tenured teaching staff members shall be no later than October 1, 1979. Any amendment to the policies and procedures shall be distributed within ten (10) working days after adoption.

Component #4: This component presents guidelines for the completion of sub-section (e) of NJAC 6:3-1.21 - ANNUAL SUMMARY CONFERENCE. The regulations are quite clear relative to what should be included at the conference, as outlined on the foregoing page (annual conference).

With these points in mind, the supervisor should prepare an appropriate Agenda and materials folder that contains the following:

- Job Description
- Individual Professional Improvement Plan
- Indicators of Pupil Progress and Growth
- Annual Written Performance Report

A thorough review of these by the Supervisor and teaching staff member will help to assure that the annual written performance report accurately reflects the teacher's performance.

Component #5: This component presents guidelines for the completion of sub-section (f) of NJAC 6:3-1.21 --- ANNUAL WRITTEN PERFORMANCE REPORT. The drafting of this report is the culminating activity in the process set forth in the regulations. While NJAC 6:3-1.21(g) calls for the development of local policies for the evaluation of tenured teaching staff members, it combines 6:3-1.21(b) through (f) and establishes September 1, 1979 as the operational date. Therefore, the completion of the annual written performance report is the last step in the process to be included in the local district policy. The regulations call for five or more elements:

-1- Performance areas of strength

-2- Performance areas needing improvement

-3- Individual Professional Improvement Plan

-4- Summary of available pupil progress indicators and their relationship to the effectiveness of the overall program and the performance of the individual teaching staff member.

-5- Provisions for additional performance data to be entered into the record by the evaluatee within 10 days after signing the report.

With completion of this report the process as set forth in the regulation, is complete.

Component #6: This component presents suggestions for the completion of sub-section (g) of NJAC 6:3-1.21 DEVELOPMENT OF LOCAL BOARD OF EDUCATION POLICIES.

The development of policies is treated in depth in several areas of this Handbook. First, a process for the development of policies and procedures follows component #7 in this chapter. Included therein is a detailed analysis of how to go about accomplishing this requirement. It must be clearly understood that what is presented is a suggested course of action, not a specific directive. There are a variety of ways of approaching the challenge -- this is just one.

Section III, Chapter 7, Preparing Written Policy, also addressed this aspect of the regulation. When combined with the final units of this chapter, the Board, Chief School Administrator, and teachers should have a clear and concise set of procedures to follow.

Component #7: This component presents the Glossary for the regulations as set forth in sub-section (h) of NJAC 6:3-1.21 - DEFINITIONS. Terms included in the regulations and others germaine to the Handbook will be in the Appendix.

SUMMARY

With the completion of the process as set forth in Components #1 through #7, the local district will have completed the requirements as set forth in NJAC 6:3-1.21. This summary suggests a process for policy development. After completing the Management Plan, (Chapter 4, Section 1) and the seven components contained in this chapter, the Chief School Administrator, in consultation with tenured teaching staff members will have reached all of the decisions necessary to the actual drafting of policies and procedures. With this setting the following Sample Evaluation Procedure was prepared. It is only a sample model and not a mandated procedure and should be viewed as a suggested format within which to incorporate unique local district concerns.

SAMPLE EVALUATION PROCEDURE OUTLINE

I. Purpose

The primary purpose of evaluating tenured teaching staff members as set forth herein, is to enhance their professional performance so that student learning will be maximized. In keeping with this purpose, evaluation shall be carried out in such a way as to:

- Improve the quality of instruction;
- Promote teaching staff member excellence and individual strengths;
- Provide a continuing process for teaching staff member growth by identifying individual strengths and weaknesses
- Determine the goals and objectives for the Professional Improvement Plan; and
- Provide a basis for personnel decisions.

II. Components of Evaluation

A. Foundations

In order that there is agreement and common understanding of the specific tasks and duties for which the teaching staff member is responsible, the written job description for the position held by the teaching staff member will form the foundation of the evaluation. The teaching staff member's performance will be assessed in terms of the degree of excellence with which he/she carries out the specific duties and responsibilities set forth in the job description.

B. Criteria

Specific written criteria for determining the degree of excellence with which the teaching staff member performs will be developed for each position by the professional staff and shall include, but not necessarily be limited to, relevant:

- Student progress
- Professional knowledges
- Professional skills
- Instructional effects
- Professional activities

C. Methods of Data Collection

Specific methods for collection of evaluation data will be developed for each position by the professional staff and shall include, but not necessarily be limited to:

- Analysis of anecdotal records
- Observations
- Review of personnel file
- Criterion-referenced testing of students
- Review of professional planning

D. Participants in Data Collection

Participants in data collection shall include parents, students, community members, and the professional staff, each of whom shall provide data as deemed necessary to carry out the evaluation. All data shall be collected and its validity and usefulness determined by properly certificated members of the professional staff as specified in Section III, C. of these rules.

E. Roles and Responsibilities

The planning and implementation of the evaluation procedure shall be conducted by the Superintendent of Schools and appropriate members of the professional staff under his/her direction.

III. Procedure for Evaluation

A. The teaching staff member being evaluated should be a partner in the evaluation process. In order to foster the development of mutual trust, confidence and respect that is essential for the purposes of evaluation to be realized, the evaluator and the teaching staff member shall meet for a pre-evaluation conference prior to the outset of the evaluation. At this conference, the evaluator will provide and discuss with the teaching staff member a written statement of (1) the evaluative procedure, (2) the evaluative criteria, and (3) the data collection methods to be followed in evaluating his/her performance.

B. All monitoring and observation of teaching staff performance shall be conducted openly and with full knowledge of the staff member. The use of eavesdropping, whether direct or electronic, shall be strictly forbidden. Electronic devices may be used, however, to facilitate open data collection with the consent of the teaching staff member. Any tape or film record so resulting may not be used for any purpose other than fostering the individual professional growth of the teaching staff member without his/her express consent, and it must be destroyed immediately upon his/her request.

C. Evaluation shall be conducted exclusively by professionals whose respective certificates authorize supervision of instruction.

D. Before any evaluation report is finalized, submitted to the Central Administration, or placed in the personnel file, such report shall be discussed a a post-evaluation conference of the teaching staff member and the evaluator. Atlease 1 day prior to this meeting the teaching staff member shall be given a copy of the written evaluation of his/her performance. The teaching staff member shall have the right to submit a written response to any material within the report, or any additional material within 15 days of the post-evaluative conference. This response will be reviewed by the evaluator and must be attached to copies of the report in all file locations.

E. Every evaluation shall be signed by both the evaluator and the teaching staff member evaluated. The teaching staff member's signature, however, shall not be interpreted as an assent to the contents signed. In no event shall anyone be asked to sign an imcomplete evaluation. The contents of the evaluation record shall be confidential and subject to all proscriptions and prescriptions of relevant law and regulations.

F. Evaluative reports will be presented to the teaching staff member in accordance with the following procedures:

1. Such reports will be issued in the name of the building principal or the immediate administrative superior based upon the procedures specified at the pre-evaluation conference.

2. Such reports will be addressed to the teaching staff member with copies being forwarded to the Superintendent of Schools and kept by the building principal or superior.

3. Such reports will be written in narrative form and will include:

   a. Areas of professional strength of the teaching staff member as evidenced during the period since the previous report and the basis for these judgements.

   b. Areas of need of professional improvement as evidenced during the period since the previous report and the basis for these judgements.

   c. Specific suggestions as to measures which the teaching staff member might take to improve his/her performance in each of the areas wherein the need or opportunity for professional improvement has been indicated.

   d. A summary of available indicators of pupil progress and growth, and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual teaching staff member

4. Written evaluation report(s) are to be provided to tenured teaching staff members no less than once each year, no later than February 1.

IMPLEMENTING, MONITORING AND USING EVALUATION DISTRICT-WIDE

Once the Board of Education has developed and adopted its policy, it is largely up to the professional staff of the school district to implement the policy and, in so doing, to assure compliance with the requirements set forth under N. J. S. A. 18A and N. J. A. C. 6:3-1.2. To assure that this is accomplished efficiently and effectively, districts should consider the adoption of a four-phase process which includes:

- Creation of a Teaching Staff Evaluation Committee
- Development of a Teaching Staff Evaluation Action Plan
- Implementation of the Action Plan
- Data Collection and Reporting

The steps involved in organizing to carry out each phase are described in the sections that follow.

Creating the Teaching Staff Evaluation Committee

The Chief School Administrator will recommend to the Board of Education the appointment of a Teaching Staff Evaluation Committee.

Suggested Purposes of the Committee are:

- To develop and oversee the implementation of a Teaching Staff Evaluation Action Plan for the collection of data that will measure the individual tenured teaching staff member's effectiveness; that will determine the goals and objectives for the individual's Professional Improvement Plan; and that will serve as the basis for personnel decisions regarding that individual.
- To analyze the data collected and to develop an annual report on teaching staff effectiveness with recommendations for the goals and objectives of the Professional Improvement Plan for the district and particular schools and/or individuals within it.

(NJAC 6:3-1.21(c))

Suggested Composition of the Committee:

- Board of Education	- one member
- Administration	- two-four members
- Teachers	- two-four members
- Parents	- one-two members
- Students	- one-two members

- Be comprised of a core of ten-twelve members with ad hoc sub-committees to be appointed as needed from the professional staff and to function at every school, grade level, and/or subject area. Individuals should be selected to serve on the Committee or on its sub-committees because they are professionally qualified for, or have a particilar interest in, staff evaluation. Selection should be made to arrive at as wide a cross section of professional expertise as is possible so that the committee's judgements will be perceived as valid by the professional staff and the community as a whole.

  Perhaps the most important step in planning and organizing the committee is the selection of the Chairperson. Because of the pivotal nature of this Committee, districts should consider using an Assistant Superintendent for Personnel or some other responsible Central Office administrator to serve in this capacity.

Major Committee Tasks

The major tasks of the Committee are:

- To develop a Teaching Staff Evaluation Action Plan that details the steps to be followed in the evaluation program.
- To oversee the plan as it is put into effect through the administrative channels of the school district.
- To analyze and review collected data to determine the need for professional improvement activities within the district.
- To develop recommendations for the goals and objectives of the Professional Improvement Plan for the district.
- To report annually to the Superintendent the findings of the evaluation and the recommendations emerging from it.

District Self-Monitoring of Implementation

In planning for self-monitoring of implementation the following hints may be helpful:

- If the evaluation process is to achieve the purposes for which it is intended with the tenured teaching staff, it must provide information that is useful to the staff member who is being evaluated.
- Good evaluation practices begin with clearly stated, practical procedures.
- All evaluative criteria and evaluative procedures for specific positions should be clearly defined and set forth in writing.
- Evaluation should be conducted by professional personnel who are properly trained in the techniques and criteria of evaluation to assure the teaching staff member that a comprehensive and accurate analysis will be provided.
- Evaluation should be conducted in a manner so as not to interfere with the normal instructional process.
- Sufficient observations of the teaching staff member should be conducted to assure that the evaluator(s) is/are mindful of the characteristics of the pupil population, current school environment and any related activities such as school events, vacations, etc., and to assure that teaching staff members receive enough feedback to make continuous improvements in their professional services.
- Observations should be spaced to enable the teaching staff member to make changes in style or approach during the evaluation.
- All observations should be conducted openly, and the use of eavesdropping (whether direct or electronic) is totally inappropriate.
- Electronic devices may be used as data collection tools with the consent of the teaching staff member; however, any tape or film record so resulting should be used for any purpose other than fostering the individual professional growth of the teaching staff member without his/her express consent, and it should be destroyed.
- Pre-evaluation interviews are recommended so that evaluator and the teaching staff member evaluated can review the evaluative criteria together and so that the evaluator can become aware of the nature of the teaching-learning situation(s) to be evaluated.

- A post-evaluation conference should be scheduled as soon as possible after completion of the evaluation to review the findings, and clarify any questions that may exist.
- A written evaluation should be prepared and given to the teaching staff member evaluated within not more than 15 days of the final observation, summarizing results, specifying areas of professional strength and areas of needed professional improvement as evidenced by the teaching staff member, and making specific suggestions concerning steps he/she might take to capitalize upon the former and eliminate the latter.
- The teaching staff member evaluated must sign the evaluation report indicating that he/she has seen the report and is aware of its contents. Signature indicates only awareness of the evaluation -- not agreement with it.
- All evaluation reports should be submitted to the central office and placed in the teaching staff members personnel file only after the post evaluation conference.
- Teaching staff members evaluated should have the right to file written responses to evaluation reports and to have these become a permanent part of the central office personnel file.

Using Evaluation Information to Identify District-Wide Inservice Needs

Districts may wish to use the sum total of all performance evaluation findings to identify common district-wide inservice or program needs. This can be a productive part of districts ongoing needs assessment programs.

It is often possible to collect common and frequent performance needs in a manner which protects the confidentiality of individual evaluation reports. Either in a meeting or in writing, supervisor/evaluators can provide a summary of common performance or program needs. All these summaries are aggregated centrally to produce a collective list which can be used as a base for identifying district, school, or program wide inservice needs.

A word of caution -- districts should be careful to avoid even the indirect identification of specific staff members when performance needs summaries are developed. Small districts where only one or two staff members are evaluated by one supervisor should pay special attention to this problem.

Districts choosing to use performance evaluation data in this way should find the following suggestions helpful.

- Appoint Evaluation Sub-Committees

  It will probably be necessary to organize analysis of the information by school, grade, program, or subject area. To facilitate this process, districts should consider having the Chairperson of the Evaluation Committee, in consultation with the entire Committee and appropriate administrative staff, select and recruit evaluation sub-committee members within each school, grade, subject, or program area. These sub-committees should be comprised of administrators, supervisors, department heads, and other properly qualified members of the teaching staff. Districts might also consider parent, citizen or student involvement in this effort. The sub-committees will report to the Chairperson of the Evaluation Committee or his/her designee.

- Monitor Activities of Evaluation Sub-Committees

  The evaluation committee will monitor all sub-committee activities through the receipt of regular sub-committee progress reports. The Evaluation Committee or sub-committees will be responsible for completing the following activities:

  1. Reviewing and familiarizing themselves with the Staff Evaluation Plans. The Staff Evaluation Plan is a concise, but comprehensive written explanation of the purposes of the evaluation, the criteria that will be used in the evaluation, the procedures that will be followed, and the action decisions that will be made as a result of findings.

2. Data gathering, analysis, and review of results

Following a written plan the sub-committee gathers summarized data from evaluators, analyzes the findings and prepares a written report.* The written report specifies:

- Areas of professional strengths and needs frequently identified (i.e. common to many individuals) during the evaluation period.
- Measures to be taken to further develop performance frequently suggested during the evaluation period.

3. Synthesis of evaluation data

The Sub-committee reviews findings and analyzes them in light of desired performance criteria as specified in job descriptions, T&E program goals and objectives, and other relevant criteria. This analysis forms the basis for statements that may be generated regarding district, school or program wide professional improvement needs.

4. Plan and recommend specific actions

Should analysis of the data reveal a common pattern of need in teaching staff member performance or programs, it is helpful for the sub-committee to attempt to identify the factors contributing to the deficiency and to provide recommendations for the remediation of the deficiency. These can be included in a summary report of sub-committee activities which is forwarded to the Staff Evaluation Committee.

5. Report the findings

The next step is the development by the Staff Evaluation Committee of a report that clearly and succinctly describes the evaluation program, the methodology used in collecting, synthesizing and analyzing the data, conclusions drawn from the analysis, and recommendations for subsequent action.

NOTE: The terms "Evaluation and "observation" are not synonymous. The evaluation may be based upon multiple observations and a number of other criteria such as attendance, pupil performance, compliance with job description, etc. Hence, distinction should be made between the formal post-evaluation conference which is required by the Administrative Code and post-observation supervisory conferences which may be held from time-to-time to counsel the evaluatee as a part of regular on-going staff development activities.

6. Action

The final step is for the Board of Education to review the report and direct that plans be developed or implemented in response to the findings and recommendations.

Data Collection and Reporting

- Analyzing and Reviewing Collected Data

The reports of the individual Sub-committees will form the major body of data on which the Evaluation Committee will base its findings and recommendations relative to the school district. The Committee may review the reports and specific recommendations of each sub-committee by school, grade level and subject area in light of the goals and objectives of the school district that were adopted by the Board of Education as a part of the "T&E" Process.

In these considerations, the Committee should give particular attention to the possible emergence of patterns of data that may indicate the presence of staff weaknesses and deficiencies that may be global in nature and, hence, may not have emerged as a result of the activities of any individual sub-committee. The emergence of any such pattern should be noted by the Committee so that the appropriate professional specialists can become involved to identify the specific deficiency that may exist, or may have existed, and develop possible alternative courses of action for the district that would lead to correction of the problem.

- Developing Recommendations for Board Action

When specific problems are uncovered as part of the analysis and review of the data, the Staff Evaluation Committee is responsible for insuring that directions for plans for their remediation are developed and recommended to the Superintendent.

Districts should consider having initial planning for remediation of specific deficiencies done by the Evaluation Sub-committee that discovered the deficiency. This effort may be augmented by the services of resource specialists from within or outside the district as deemed necessary and appropriate by the Chairperson of the Evaluation Committee (in consultation with the Chief School Administrator) who will closely monitor these activities.

Each Sub-committee can analyze the nature of specific deficiencies and develop a recommended plan of action to remediate them. The Sub-committee will then submit its recommendations in writing to the Evaluation Committee.

The Evaluation Committee will review, modify and/or approve individual recommendations from all Sub-committees and will develop a comprehensive set of recommendations. These will be submitted in draft form to the Superintendent for review and discussion. The superintendent will submit the formal and comprehensive Report of Findings and PROFESSIONAL IMPROVEMENT PLAN to the Board of Education.

The Teaching Staff Evaluation Committee is responsible for drawing together the reports of all Evaluation Sub-committees and for developing a comprehensive Report of the Findings and Professional Improvement Plan. This Report will provide a thorough description of the evaluation activities, and findings and conclusions along with recommendations for Board actions to remediate specific deficiencies.

District wide staff evaluation results should be reported by the Chief School administrator to the Board of Education at a public meeting. This provides an opportunity for the Superintendent and the Teaching Staff Evaluation Committee to present a review of the year's staff evaluation activities within the district to Board and community. Boards should seriously consider making this the sole agenda topic for one meeting so that adequate and complete public reporting and discussion of the district's efforts can be assured.

In view of the potential for wide distribution of the Report within the community, the Teaching Staff Evaluation Committee should make a serious effort to see that the language of the Report is clear and understandable and that educational jargon and technical terms are avoided or explained when used. One of the purposes of this effort is to engender public understanding of the schools. The Report can do much to enhance this if it is clear and unambiguous, but it can needlessly complicate the situation if it is vague and leads to many varied individual interpretations of its content.

In light of these considerations, administrators and committee members should be careful in writing and editing to assure that the Report, in fact, says exactly what it is intended to say.

SECTION III

Chapter 7. Preparing Written Policy
Chapter 8. Developing Job Descriptions
Chapter 9. Evaluating the Superintendent
Chapter 10. Evaluating the Board's Performance
Chapter 11. Legal Framework for Staff Evaluation
Chapter 12. Negotiations and Staff Evaluation

INTRODUCTION

Section I of this Handbook presents the new regulations, NJAC 6:3-1.21 relative to the Evaluation of Tenured Teachers. It emphasized the Roles and Responsibilities of Board members and chief school administrators and the need to develop a customized Management Plan for the PROCESS. Section II included a more in-depth consideration of Evaluation of the Tenured Teacher by presenting the NJSBA's suggestions on staff evaluation and local school district action. Now, Section III presents a series of chapters, prepared by staff members of NJSBA, relative to special features of the regulation or matters pertinent to the regulation. Included in this section are:

- Chapter 7. Preparing Written Policy
- Chapter 8. Developing Job Descriptions
- Chapter 9. Evaluating the Superintendent
- Chapter 10. Evaluating the Board's Performance
- Chapter 11. The Legal Framework for Staff Evaluation
- Chapter 12. Negotiations and Staff Evaluation

Each chapter is meaningful in terms of the regulation and will serve as a significant resource to Boards of Education, Chief School Administrators and teachers as they seek to forge policies and procedures in compliance with the regulation.

Efforts have been made to cross-reference each of the chapters with the contents of Sections I and II.

CHAPTER 7

PREPARING WRITTEN POLICY

INTRODUCTION

The actual preparation of Policies and Procedures in order to comply with NJAC 6:3-1.21 is fundamental to the regulation. Therefore, this special chapter has been prepared to assist Boards of Education and their chief school administrators with this task. This chapter should be reviewed in conjunction with the final units of Chapter 6, in Section II.

The material to follow should give guidance and direction relative to the actual preparation of a policy. The chapter provides the Board of Education with a course of action, as well as a Sample Teacher Evaluation Policy, including a series of steps that constitute a procedure through which to implement the policy. And while it is noted several times in the Chapter, it should be remembered that this is a suggested format through which to comply with the Code.

In closing, the NJSBA and RBS Inc. are indebted to Linda Morton, Assistant Director, Management Information, NJSBA, for the preparation of this Chapter. Linda's assistance is truly appreciated; it helped to make this challenging undertaking much less difficult.

SAMPLE EVALUATION STATEMENTS
BOARD OF EDUCATION
POLICY AND ADMINISTRATIVE PROCEDURES

Formulating the philosophy of staff evaluation is not only the Board of Education's right, but its responsibility. The Board's philosophy, stated as written policy, provides the superintendent with a clear understanding of what the evaluation process should accomplish. The policy need not restate legal mandates nor should it determine specific staff assignments to accomplish the evaluation. The policy should state the Board's primary purpose for evaluating teaching staff members.

Up until now, we have focused this handbook on the evaluation process for tenured teaching staff. Here we digress slightly to suggest that the staff evaluation policy need not be limited to tenured teaching staff members, but as long as the primary purpose is the same, may include non-tenured teaching staff as well.

To facilitate the drafting of the policy statement, boards should consider having the Board President appoint a sub-committee consisting of two or three board members and the superintendent. This group should be responsible for pulling together the decisions reached in components 1-7 and presenting them to the board as a whole for reaction, revision, and adoption

In accordance with the Board's agreed upon philosophy, the policy should direct the superintendent to develop procedures for an evaluation process that will:

- Improve the quality of instruction;
- Promote teaching staff member excellence and individual strengths;
- Provide a continuing process for teaching staff member growth by identifying individual strengths;
- Determine the goals and objectives for the professional improvement plan; and
- Provide a basis for personnel decisions

To aid the board and sub-committee in this process, the following Sample Evaluation Policy has been prepared. The policy is intended only as a sample of the kind of statement a board might reach as a result of their consideration of unique local district conditions. It is not intended as a model policy for actual adoption in toto, but as a suggested format within which to incorporate unique local district concerns.

TEACHER EVALUATION

The Board of Education believes that effective district staff evaluation results in improved instruction and learning opportunities for all students of the school district. Coupled with a positive program of staff supervision, it enables teaching staff members to constantly expand their potential.

The Board of Education will endeavor to create and maintain a positive climate for staff members. Each staff member's individual needs, abilities, and aspirations shall be considered by the administration in the development of evaluation instruments which will identify staff strengths, needs, and improvement objectives.

The professional growth of the teaching staff member which results from participation in the evaluation process is as significant as the process itself. Evaluation shall be a continuous, constructive and cooperative experience between the teaching staff member and his/her supervisor-evaluator.

The superintendent shall be responsible for developing the evaluation program. The program shall assure complete articulation and communication between staff and supervisor-evaluator. All procedures for the evaluation of teaching staff members shall be in complete compliance with law and regulation.

This policy and the enabling procedures shall be reviewed each school year by the Board of Education. Before readoption, any necessary revisions of policy shall be made. The superintendent shall be responsible for the distribution of the policy and procedures to each teaching staff member no later than October 1 every year. If at any time within the school year revisions of policy or procedure are adopted by the Board, the Superintendent shall be responsible for their redistribution to staff within 10 working days.

Legal Reference: (Tenure) N.J.S.A. 18A:4-15, 18A:6-10 et seq., 18A:7a-1 et seq., 18A:29-14

N.J.A.C. 6:3-1.21

(Non-Tenure) N.J.S.A. 18A:27-3.2; 18A:27-3.3

N.J.A.C. 6:3-1.19

Adopted:

The terms "policies" and "procedures" are not defined discretely in New Jersey educational statutes or administrative code. They appear to have been used interchangeably in the State Board of Education's evaluation regulations as well as in many other instances.

The NJSBA suggests the following definitions to assist school districts in clarifying the governance and managerial roles and responsibilities of the board and its administrative staff:

> A policy statement is a broad guideline set by the school board to chart a course of action. It states what is to be accomplished and may state why and how much.
>
> Procedures implement the policy and should be developed by, or under the direction of, the superintendent. The procedures state how, by whom, where, and when the policy will be implemented.

Usually a board only reviews and/or adopts regulations and procedures in sensitive areas or upon request. N.J.A.C. 6:3-1.21 requires the Board to review and adopt all district evaluation procedures prior to their going into effect to ascertain administrative adherence to the intent of the policy.

The following Sample Evaluation Procedure incorporates the legal requirements of the Administrative Code with the sample district's unique local concerns. It is not intended as a model procedure but as a suggested format.

TENURED TEACHER EVALUATION

Authority

In keeping with the Board of Education's policy for evaluating tenured teaching staff members, this procedure shall be implemented by appropriate members of the professional staff under the direction of the superintendent.

Foundation

In order that there is agreement and common understanding of the specific tasks and duties for which the teaching staff member is responsible, the written job description for the position held by the teaching staff member will form the foundation of the evaluation. The teaching staff member's performance will be assessed in terms of the degree of excellence with which he/she carries out the specific duties and responsibilities set forth in the job description.

Criteria

Specific written criteria for determining the degree of excellence with which the teaching staff member performs will be developed for each position by the professional staff and shall include, but not necessarily be limited to, relevant indicators of:

- Student progress and growth
- Professional knowledges
- Professional skills
- Instructional effects
- Professional activities.

Methods of Data Collection

Specific methods for collection of evaluation data will be developed for each position by the professional staff and shall include, but not necessarily be limited to:

- Analysis of anecdotal records
- Observations
- Review of personnel file
- Measures of the student progress, including classroom, criterion referenced and standardized test results

Tenured Teacher Evaluation (cont.)

- review of professional planning

Participants in Data Collection

Participants in data collection shall include parents, students, community members, and the professional staff, each of whom shall provide data as deemed necessary to carry out the evaluation. The data shall be collected by properly certificated members of the professional staff as specified in C of this Procedure.

EVALUATION PROCEDURE

A. The teaching staff member being evaluated should be a partner in the evaluation process. In order to foster the development of mutual trust, confidence, and respect that is essential for the purposes of evaluation to be realized, the evaluator and the teaching staff member shall meet for a pre-evaluation conference prior to the outset of the evaluation. At this conference, the evaluation will provide and discuss with the teaching staff member a written statement of (1) the evaluative procedure, (2) the evaluative criteria, and (3) the data collection methods to be followed in evaluating his/her performance.

B. All monitoring and observation of teaching staff performance shall be conducted openly and with full knowledge of the staff member. Electronic devices may be used, to facilitate data collection with the consent of the teaching staff member.

C. Evaluation reports shall be authored by professionals whose respective certificates authorize supervision of instruction and shall, in each case, be confined within the scope of the evaluator's job description.

D. Before any evaluation report is finalized, submitted to the Central Administration, or placed in the personnel file, such report shall be discussed at a post-evaluation conference of the teaching staff member and the evaluator. At least one day prior to this meeting, the teaching staff member shall be given a copy of the written evaluation of his/her performance. The teaching staff member shall have the right to submit a written response to any material within the report within 15 days of the post-evaluative conference. This response will be reviewed by the evaluator and will be attached to copies of the report in all file locations.

Tenured Teacher Evaluation (cont.)

EVALUATION PROCEDURE (cont.)

E. Every evaluation shall be signed by both the evaluator and the teaching staff member evaluated. The teaching staff member's signature, however, shall not be interpreted as an assent to the contents signed. In no event shall anyone be asked to sign an incomplete evaluation. Public disclosure of the contents of the evaluation or of the responsive comments, if any, shall be governed by relevant statute, rule and policy.

F. Evaluative reports will be presented to the teaching staff member in the following manner:

1. Such reports will be issued in the name of the building principal or the immediate administrative superior based upon the procedures specified at the pre-evaluation conference.

2. Such reports will be addressed to the teaching staff member with carbon copies being forwarded to the Superintendent of Schools and kept by the building principal or superior.

3. Such reports will be written in narrative form and will include:

   a. Areas of professional strength of the teaching staff member as evidenced during the period since the previous report.

   b. Areas of need of professional improvement as evidenced during the period since the previous report.

   c. Specific suggestions as to measures which the teaching staff member might take to improve his/her performance in each of the areas wherein need of professional improvement has been indicated.

4. Such supervisory evaluations are to be provided to tenured teaching staff members once each year, no later than February 1, except that a tenured teaching staff member shall be so evaluated a second time if he files a written request for the same with his building principal or administrative superior on or before February 15. The second evaluation, if requested, shall be completed on or before April 15.

Legal Reference: N.J.S.A. 18A:4-15, 18A:6-10 et. seq., 18A:7a et. seq., 18A:29-14 N.J.A.C. 6:3-1.21

Adopted:

CHAPTER 8

DEVELOPING JOB DESCRIPTIONS

INTRODUCTION

The development of a Job Description is one of the more critical variables in the process of complying with NJAC 6:3-1.21. Accordingly, this special Chapter has been prepared to assist Boards of Education and their Chief School Administrators with this task. In conjunction, with Component #2 of Chapter 6, in Section II, the material to follow should give guidance and direction relative to the actual preparation of the Job Descriptions. The chapter opens with an Overview relative to what constitutes a Job Description and its importance to the Evaluation Process. This is followed by series of paragraphs that touch on what to do and how to do it; emphasizing planning, policy development, staff involvement, formatting, style and customizing. The balance of the Chapter presents sample Job Descriptions for a variety of positions.

In closing, the NJSBA and RBS, Inc. are indebted to Glenn Tecker Director, and Linda Morton, Assistant Director, Management Information, NJSBA for the preparation of this chapter.

OVERVIEW

Job descriptions are written records of the functions of various positions. Good job descriptions, properly used, are important tools for school districts. They communicate to the person in a position, their supervisor, and their employer a common understanding of what is expected. In a sense, the job description explains the nature of the service being purchased with the public's money.

Job descriptions can encourage better utilization of all staff members, greater team work, and a sense of security for staff members who understand their responsibilities. In staff evaluation, job descriptions are the first step in meeting a fundamental principle of supervision: ensuring that individuals who will be accountable know what they are accountable for.

A job description is an organized formal statement of title, purpose, reporting relationships, responsibilities, and qualifications for a particular position. Developing a job description involves collecting information about a job, refining the information to eliminate unimportant details, organizing and arranging what is to be included and writing the job description in a readable style.

PLANNING FOR JOB DESCRIPTIONS

The preparation of job descriptions should be planned. It involves identifying job functions, grouping similar duties and responsibilities, assigning job titles, and describing the levels of qualification desired for the various types of jobs to be performed. The school system that rushes into this task without thoughtful planning will probably encounter confusion, backtracking, and delay.

Board Policy

Preparing a set of job descriptions for the individuals employed by the school system involves studying the functions that must be performed by school staff to achieve the educational objectives of the

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*Portions of this chapter are based upon materials developed by the Educational Service Bureau Inc. of Washington, D. C.

district, school, program, course or class. Functions, which will differ from system to system and from program to program, are related to the organization and educational program and priorities of the school system. The organization, program, and priorities of a school system are set forth in board policy. These policies indicate in broad but clear terms what the board wants. They create the framework within which the staff operates. It is extremely difficult, and often meaningless, to begin the task of compiling adequate job descriptions without basing them on such policies. Similarly, procedures for authoring, approving and maintaining job descriptions should be carefully planned and established in policy before any writing takes place.

Development in Consultation with Staff

School systems preparing to author and use job descriptions often encounter some difficulty in knowing how to proceed. A good approach is to start with what you have and work deliberately and cautiously. The district does have staff members. A wise district will involve members of the staff, not only to make the task possible, but also to promote acceptance and support of job descriptions that are grounded in reality.

If the school system has nothing in writing concerning various jobs, it is a good idea to create task forces of position encumbents, their supervisors, central administrators, and, if the district desires, students, parents, and citizens. The task of such groups is to provide drafts that can be considered, discussed, and revised. It can also encourage personnel already doing certain things to rethink their activities. The job descriptions proposed by these task forces should be reviewed and revised by the chief school administrator and ultimately submitted to the board for review and approval.

This approach is useful in developing or updating the job descriptions of the school system. It is not wise to create positions, employ staff members and then ask them to write their own job description. If the school system is to secure an effective professional, it helps to have a job description that describes the functions of the position. The description is used to guide the selection of a person who can fill the requirements. New staff members are almost certain to write a job description in terms of their own characteristics and ideals that may not reflect the district's purpose for establishing the position.

WRITING THE JOB DESCRIPTION

Format

As formal statements about the purpose, functions, and qualifications of various positions, job descriptions will be more useful if they are generally consistent in format and style. If format and style are determined fairly early in the undertaking, information about jobs will be in a more manageable form. It is a good idea to provide individuals drafting job descriptions with a sample to be used as a "pattern."

When a district is preparing a set of job descriptions for positions with widely varying functions, one format or style may not suffice. In such situations, try to attain consistency in the presentation of related positions. For example, job descriptions for all assistant superintendents should be authored with some consistency, while another pattern may be suitable for school nurses. Some positions are generally alike but still different. For example, all classroom teachers may have a common core of job functions, as well as a unique group of job functions related to the specific program or subject in which they teach.

Job titles should succintly represent the basic nature of the position. The title should distinguish it from all other positions within the school system and indicate the relationship of the position in the chain of command.

A mere listing of the responsibilities of the staff member is usually not a satisfactory job description. The facts included need to be presented logically, concisely, and specifically so that a reader who is not familiar with the job can quickly get a good overview of role and functions.

In job descriptions used in public schools, the functions, tasks, or duties of school personnel can be grouped into major categories or "performance areas." Within each performance area details about the job can be grouped. These details are specific statements of responsibilities or "job functions." For example, a guidance counselor's job functions might be grouped under four broad performance areas: work with students; work with administrative staff; work with teachers and other school personnel; and work with parents.

The number of performance areas or sections used will depend upon the complexity of the job. In most job descriptions, the number of performance areas ranges from five to ten. If more than 10 are used, the result may be confusion.

Style

In writing job descriptions, focus on the operational aspects of the job. This can be accomplished by effectively using verbs and verbals to emphasize what the person in the job will do. One of the best ways to write the job functions or responsibilities portion of a job description is to start sentences with a functional verb with the staff member the implied subject. For example, the job functions of a department chairman in the performance area of curriculum development could be presented as:

1. Prepares new curriculum.
2. Provides for continuing review and improvement of existing curriculum.
3. Aids in the preparation of inservice courses.
4. Provides for the development of instructional guides and materials for members of the department, parents or pupils as needed.
5. Integrates the work of the department into the total instructional program of the school.
6. Recommends the purchase of equipment and supplies to be used in departments.

Other methods of presenting job functions include the use of verb forms such as infinitives or verbal nouns. The first item above would then read: "To prepare new curricula", or "Preparing new curricula". However, the use of imperative verbs is usually preferred.

A combination of verbs and verbal nouns is sometimes useful for giving additional specificity to complex jobs. For example:

3. Gives leadership to the instructional program by:
   a) making recommendations concerning scope of the educational program.

b) developing courses of study with staff.

c) studying modern educational developments with the board.

Those writing job descriptions may find these simple suggestions useful:

- Use the active (not the passive) voice and the present tense. In writing job descriptions have a staff member do something rather than have something done by a staff member. Either rule out the use of shall or should, or use them very sparingly. To write that a superintendent "shall submit new courses of study to the board for approval" or "should do so" is less efficient than the use of the active verb "submits."
- Choose functional or operational verbs. Action verbs help the reader to visualize the job being done.
- Be specific. Such terminology as "is responsible for" or "provides services" tell very little about a job. A good job description tells what services the employee is to provide, for whom, and how.
- Strive to use simple sentences that have great force. If you feel that you must use compound or compound-complex sentences, intersperse them with short simple sentences.
- Write in a direct, matter-of-fact style. One way to help achieve this is to construct sentences so that the implied subject is a person.

DON'T REINVENT THE WHEEL "CUSTOMIZE"

A district's job descriptions must accurately represent that district's aspirations and expectations for its employees. It is very unlikely that a job description, or set of job descriptions, authored for use by another district or many districts will perfectly match your district's needs. However, using job descriptions from other districts, or from a collection of samples, as the initial focus from which to "customize" format and content appropriate to your district can save considerable time and energy. Sample job descriptions are available from many sources including the New Jersey School Boards Association. They are maintained as part of the management information department's Policy Clearinghouse. Some samples are included at the end of this chapter. If several groups are involved in authoring job descriptions, samples parti-

cularly useful in identifying a basic format and style to be used commonly throughout the project.

It is important to remember that job descriptions are written on paper and not in concrete. If job descriptions are to be accurate and current presentations of the responsibilities of a position, then they must be periodically reviewed and if necessary, revised. In particular, portions of a job description which relate to a specific program or assignment should be modified as responsibilities are altered. Districts may find it useful to review job descriptions at the beginning of each school year as part of an initial supervisory conference with each staff member. Even if revision is not necessary, the review will reaffirm and clarify performance expectations for the coming school year for both the staff member and the supervisor.

The development and use of school district job descriptions requires time, dollars, common sense, and patience. The commitment is well worth it when it results in lasting benefits to the school district and the students it serves.

The remainder of this chapter presents sample job descriptions for the positions: Nurse/Practitioner, Elementary Classroom Teacher, Social Studies Teacher, Guidance Counselor, Principal, and Superintendent. NJAC 6:3-1.21 exempts the superintendent or administrative principal where there is no superintendent. Thus, no present rule requires a job description for the superintendent. However the sample included herein should be read in conjunction with Chapter 9 - Evaluating the Superintendent, An Overview.

NURSE/PRACTITIONER

QUALIFICATIONS:
1. Valid New Jersey state license to practice as a registered nurse.
2. New Jersey Certificate-School Nurse Practitioner. N.J.S.A. 18A:26-2; N.J.A.C. 6:8-4.3

REPORTS TO: Principal

JOB GOAL: To provide the fullest possible educational opportunity for each district student by minimizing absence due to illness and creating a climate of health and well-being in the district schools.

PERFORMANCE RESPONSIBILITIES:

1. Conducts school health service, including physical examination, immunizations, and tests for hearing and vision.
2. Assumes responsibility for selection and referral of students in need of medical and dental care.
3. Reports to parents, school personnel, physicians, clinics, and other agencies on school medical matters.
4. Maintains up-to-date cumulative health records on all students.
5. Observes students on a regular basis to detect health needs.
6. Assumes authority, in the absence of a physician, for the care of a student or staff member who has suffered injury or emergency illness. Administers first aid in accordance with established first aid procedures.
7. Visits student homes when necessary.
8. Participates with school staff in developing and implementing total school health program.
9. Contacts homes of children referred by principal.
10. Advises on modification of the educational program to meet health needs of individual students.

11. Prepares and submits reports for the superintendent and the State Board of Health.

12. Implements policy on exclusion and readmission of students in connection with infectious and contagious diseases.

13. Advises teachers on health matters, particularly regarding screening for student health defects.

14. Assists school personnel in establishing sanitary conditions in schools.

15. Attends as assigned committee meetings and conferences regarding health service and health curriculum.

16. Participates in inservice training programs.

17. Upholds and enforces school rules, administrative regulations, and board policy.

18. Maintains familiarity with current trends and practices in the the field of school health and continuously improves professional competence through inservice programs, performance evaluations, and his/her individual professional improvement plan.

EVALUATION: Performance of this job will be evaluated annually in accordance with provisions of the Board's policy on Evaluation of Professional Personnel.

Authorized: _____ Date: _____

ELEMENTARY CLASSROOM TEACHER

QUALIFICATIONS:

1. New Jersey Teacher Certification General Elementary. N.J.S.A. 18A:26-2 N.J.A.C. 6:11-5.1, 5.2, 6.1, 6.2, 6.3, 8.3, 8.4, 8.5, 8.6
2. A Bachelor's degree

REPORTS TO: The Instructional Team Leader and through the team leader to the school principal

JOB GOAL: To provice an elementary grade program and a class environment favorable to learning and personal growth; to establish effective rapport with pupils; to motivate pupils to develop skills, attitudes and knowledge needed to provide a good foundation for continued education, in accordance with each pupil's ability; to maintain good relationships with parents and with other staff members.

PERFORMANCE RESPONSIBILITIES:

In General:

1. Implement by instruction and action the district's philosophy of education and instrucational goals and objectives.
2. Develops lesson plans and instructional materials and provides individualized and small group instruction in order to adapt the curriculum to the needs of each pupil.
3. Translates lesson plans into learning experiences so as to best utilize the available time for instruction.
4. Establishes and maintains standards of pupil behavior needed to achieve a functional learning atmosphere in the classroom.
5. Evaluates pupils' academic and social growth, keeps appropriate records, and prepares progress reports.
6. Ensures satisfactory pupil progress and growth toward stated objectives of instruction.

7. Communicates with parents through con erences and other means to discuss pupil's progress and interpret the school program.

8. Identifies pupil needs and cooperates with other professional staff members in assessing and helping pupils solve health, attitude, and learning problems.

9. Maintains professional competence and continuous improvement through inservice education activities provided by the district, annual performance evaluation, and selected professional growth activities as described in the individual professional improvement plan.

10. Selects and requisitions books and instructional aids; maintains required inventory records.

11. Supervises pupils in out-of-classroom activities during the assigned working day.

12. Administers pupil assessment instruments in accordance with district testing policy and program, interprets the results and plans instruction accordingly.

13. Upholds and enforces school rules, administrative regulations, and board policy.

14. Participates in curriculum development programs as assigned.

15. Participates in faculty committees and the sponsorship of pupil activities as assigned.

In the Morgan School Program:

1. Teaches reading, language arts, social studies, mathematics, science, art, health, physical education, and music to pupils in a classroom, utilizing course of study adopted by the Board of Education and appropriate learning activities.

2. Provides and manages an effective environment for learning through maintenance and operation of the classroom interest centers.

EVALUATION: Performance of this job will be evaluated annually in accordance with provisions of the Board's policy on Evaluation of Professional Personnel.

Authorized: _____ Date: _____

SOCIAL STUDIES TEACHER

QUALIFICATIONS:
1. New Jersey Secondary Teacher Certification - History. N.J.S.A. 18A:26-2; N.J.A.C. 6:11-5.1, 5.2, 6.2, 6.3, 8.4, 8.5
2. A Bachelor's degree with a major in history or one of the social studies.

REPORTS TO: Principal/Certificated Supervisor

JOB GOAL: To develop in each pupil an appreciation of American ideals and cultural heritage; to develop proficiency in the use of social studies inquiry skills and concepts; to teach each pupil to understand his/her rights, privileges, and responsibilities as a citized; to develop understanding of the geographical, historical, cultural, and political factors which influence the development of world regions; to encourage pupils to develop sound opinions based on study of facts concerning operation of political and economic systems.

PERFORMANCE RESPONSIBILITIES:

In General:

1. Implements by instruction and action the district's philosophy of education and instructional goals and objectives.

2. Ensures satisfactory pupil progress and growth toward the objectives of instructional activities.

3. Provides various large group, small group, and individual instruction in order to meet the needs of pupils with varying abilities, attitudes and learning styles.

4. Maintains standards of pupil behavior to provide an orderly, productive classroom environment.

5. Maintains professional competence through cooperation in performance evaluations, participation in inservice education provided by the district, and in selected professional growth activities as developed in the individual professional improvement plan.

6. Selects and requisitions books and instructional aids, and maintains required inventory records; may request speakers and field trips.

7. Communicates with parents and school counselors to discuss pupil progress.

8. Identifies pupil needs, and cooperates with other professional staff members in helping pupils solve health, attitude, and hearing problems.

9. Supervises pupils in out-of-classroom activities during the assigned work day.

10. Upholds and enforces school rules, administrative regulations, and board policy.

11. Participates in curriculum and other developmental programs as assigned.

12. Participates in faculty committees and sponsorship of pupil activities as assigned.

In the Social Studies Program:

1. Teaches courses in social studies, history, geography, American government, political science, or humanities to secondary pupils, according to courses of study adopted by the Board of Education and through appropriate learning activities.

2. Presents the balanced social studies program embodied in the districts approved educational program, involving factual background material, material on current events, discussion time, and other appropriate activities designed to encourage pupils to develop skills and attitudes, draw conclusions, achieve improved interpersonal relationships, and make value judgements based on scientific methods of inquiry.

3. Develops knowledge of the purpose, structure, and operation of the American governmental and economic system, and the rights and responsibilities of American citizenship.

4. Makes current material from the mass media available to pupils; plans and guides discussions of current problems against background of geographical environment and history of area being studies.

5. Develops an understanding of the contributions of racial, religious, and political groups to American culture.

6. Develops knowledge of political and economic systems of other nations and their influence on personal freedom, education, and living standards of the people.

7. Develops pupil awareness of the complexity and interrelations of local, state, national and world problems.

EVALUATION: Performance of this job will be evaluated annually in accordance with provisions of the Board's policy on Evaluation of Professional Personnel.

Authorized: _____ Date: _____

GUIDANCE COUNSELOR

QUALIFICATIONS:

1. A master's degree from an accredited college or university with a major in guidance and counseling and course work in psychology, testing and measurement, sociology, and education.
2. New Jersey Teacher Certificate. N.J.S.A. 18A:26-2
3. A New Jersey Certificate Guidance Counselor. N.J.A.C. 6:11-12.13
4. A minimum of three years of teaching experience.
5. Such alternatives to the above qualifications as the Board may find appropriate and acceptable.

REPORTS TO: Principal/Certificated Supervisor

JOB GOAL: To help students overcome problems that impede learning and to assist them in making educational, occupational, and life plans that hold promise for their personal fulfillment as mature and responsible men and women.

PERFORMANCE RESPONSIBILITIES:

Work with Students:

1. Registers students new to the school and orients them to school procedures and the school's varied opportunities for learning.

2. Assists students in evaluating their aptitudes and abilities through the interpretation of individual standardized test scores and other pertinent data, and works with students in evolving education and occupation plans in terms of such evaluation.

3. Conducts two or more scheduled interviews with each student assigned and remains readily available for further counseling at students request. Counsel student in personal growth, self-understanding, and maturity.

4. Arranges for tutoring or summer school for educational reinforcement as required.

Work with Parents and Community:

1. Initiates conferences with parents when it is necessary to help them better understand and assist in the educational, vocational and personal guidance of their children, and is available for conferences upon parental request.

2. Takes an active role in interpreting the school's objectives to students, parents, and the community at large.

Work with Other Staff:

1. Works with teachers and other staff members to familiarize them with the general range of services offered by the student personnel services department, and to improve the educational prospects of individual students being counseled.

2. Supervises the preparation and processing of college, scholarship, and employment applications. Makes recommendations for admissions and scholarships.

3. Initiates, assembles, maintains, and interprets accurate health records, attendance records, cumulative records, activity records, and uniform transcript records for assigned students. Maintains and protects the confidentiality of such student records.

4. Assists in upholding and enforcing school rules, administrative regulations, and board policy.

5. Maintains a current knowledge of trends and techniques within their field and actively pursues continuous professional improvement through their performance evaluations and individual professional improvement plans.

EVALUATION: Performance of this job will be evaluated annually in accordance with provisions of the Board's policy on Evaluation of Professional Personnel.

Authorized: _____ Date: _____

PRINCIPAL

QUALIFICATIONS:

1. A master's degree from an accredited college or university.
2. New Jersey Teacher Certification.
3. New Jersey Certificate - Principal. N.J.S.A. 26-2; N.J.A.C. 6:11-10.4
4. A minimum of five years teaching experience and 2 years of administrative experience.
5. Such alternatives to the above qualifications as the Board may find appropriate and acceptable.

REPORTS TO: Superintendent/Assistant Superintendent/Certificated Supervisor

JOB GOAL: To provide leadership, supervision, and coordination of the total educational program within the school.

PERFORMANCE RESPONSIBILITIES:

1. Established and maintains an effective learning climate in the school.

2. Supervises the planning, development, implementation and evaluation of all school programs and activities.

3. Participates in the selection and supervision of all school personnel. Supervise the orientation of newly assigned staff. Assist staff in their personal and professional development.

4. Supervises all administrative, professional, paraprofessional, and non-professional personnel attached to the school.

5. Assumes responsibility for the implementation and observance of all Board policies and regulations by the schools staff and students.

6. Delegates authority to responsible personnel to assume responsibility for the school in the absence of the principal.

7. Establishes and maintains favorable relationships with parent local community groups and individuals to foster understanding and solicit support for and participation in overall school objectives and programs; to interpret Board policies and administrative directions; and to discuss and resolve school related problems.

8. Prepares or supervises the preparation of reports, records, lists, and all other paper work required or appropriate to the schools administration and to keeping the district administrators apprised of school events and activities.

9. Submits to the Superintendent, at the end of the school year, the Annual school report - N.J.S.A. 18A:25-5.

10. Supervises the exclusion from school any pupil who shows departure from normal health, who has been exposed to a communicable disease, or whose presence may be detrimental to the health and cleanliness of other pupils. Assures that excluded pupils parents or guardian is apprised of reason for exclusion - N.J.S.A. 18A:4-7&8.

11. Assumes responsibility for health, safety, and welfare of students and staff, including the planning for such emergencies as fire or storms and the training of the students in the procedures to be followed during such events - N.J.S.A. 18A:41-1&2.

12. Conducts meetings of the staff as necessary for the proper functioning of the school.

13. Maintains high standards of student conduct and enforce discipline as necessary, according due process to the rights of students.

14. Prepares and administers the school budget, supervise school finances and maintenance of school funds.

15. Serves as a member of such task forces and committees and attends such meetings as the Superintendent shall direct.

16. Attends school sponsored activities, functions, athletic events and special events held to recognize student achievement.

17. Insures that student record keeping procedures comply with state and federal law and district policy. Establishes procedures for safe storing and integrity of all school records.

18. Establishes procedures for the security and accountability of all school facilities, property, and equipment.

19. Keeps abreast of changes and developments in the profession by attending professional meetings, reading professional journals, and other publications, and discussing problems of mutual interest with others in the field.

TERMS OF EMPLOYEMENT:	Ten, eleven, or twelve month year. Salary and work year to be established by the Board.
EVALUATION:	Performance of this job will be evaluated annually in accordance with provisions of the Board's policy on Evaluation of Professional Personnel.

Authorized by: _____ Date: _____

SUPERINTENDENT OF SCHOOLS

QUALIFICATIONS:

1. Experience in teaching and school administration totalling at least 10 years.
2. An earned master's degree with a major in educational administration; preferably, completion of one year of graduate work beyond the master's degree.
3. New Jersey Certification - School Administrator N.J.A.C. 6:11-9.1, 9.2, 10.2, 10.4, 10.5, 10.7; N.J.S.A. 18A:17
4. Such alternatives to the above qualifications as the Board may find appropriate and acceptable.

REPORTS TO: Board of Education

SUPERVISES: Directly or indirectly, every district employee.

JOB GOAL: To inspire, lead, guide, and direct every member of the administrative, instructional, and supportive services team in setting and achieving the highest standards of excellence, so that each individual student enrolled in our district may be provided with a complete, valuable, meaningful, and personally rewarding education.

Further, to oversee and administer the use of all district facilities, property, and funds with a maximum of efficiency, a minimum of waste, and an ever-present, overriding awareness of and concern for their impact upon each individual student's education.

PERFORMANCE RESPONSIBILITIES:

1. Attends and participates in all meetings of the Board except when own appointment, efficiency, contract, or salary is being considered, and serves as an ex-officio member of all Board Committees.

2. Advises the Board of need for new or revised policy and prepares policy drafts for Board approval.

3. Supervises the effective implementation of all constitutional or statutory laws, state regulations, and Board policies.

4. Exercises power to make such rules and gives such instructions to school employees and students as may be necessary to implement Board policy.

5. Acts on own discretion if action is necessary in any matter not covered by Board policy, reports such action to the Board as soon as practicable and prepares draft policy for review, modification if necessary, and adoption by the Board.

6. Sees to the efficient maintenance and dissemination of all district policy documents.

7. Administers as chief school executive, the development and maintenance of a positive educational program designed to meet the needs of the community and to carry out the policies of the Board.

8. Formulates and directs the development of school and district objectives, plans and programs. Prepare and present facts and explanations necessary to the Board in making informed decisions concerning the approval of school and district objectives, plans and programs.

9. Prepares and submits to the Board recommendations related to all matters requiring Board action and informs the Board of all activities operating under the Board's authority.

10. Delegates at own discretion to other epployees of the Board the exercise of any powers or the discharge of any duties with the knowledge that the delegation of power or duty does not relieve the chief school executive of final responsibility for the action taken under such delegation.

11. Maintains adequate records for the schools, including a system of financial accounts; business and property records; and personnel, school population, and scholastic records. Acts as custodian of such records and of all contracts, securities, documents, title papers, books of records, and other papers belonging to the Board.

12. Recommends for promotion, appointment, or employment all employees of the Board, and assigns, transfers, and recommends for dismissal any and all employees of the Board.

13. Directs the preparation of the annual budget for adoption by the board, and administers the budget as enacted by the Board, acting at all times in accordance with legal requirements and adopted Board policies.

14. Directs staff negotiations with professional and nonprofessional personnel.

15. Communicates directly or through delegation all actions of the Board relating to personnel matters to all employees; and receives from employees all communications to be made to the the Board.

16. Represents the schools before the public, and maintains, through cooperative leadership, both within and without the schools, such a program of publicity and public relations as may keep the public informed as to the activities, needs, and successes of the schools.

17. Attends, or delegates a representative to attend, all meetings of municipal,county and state agencies at which matters pertaining to the school district appear on the agenda or are expected to be raised.

18. Represents the district in its dealings with other school systems.

19. Assumes ultimate administrative responsibility for the health, safety, welfare, discipline, assignment, promotion and retention of all students.

20. Conducts a continuous evaluation of the progress and the needs of the schools. Keeps the board informed of results of evaluation and measures taken to improve the district's educational environment.

21. Makes recommendations to the Board concerning transportation of pupils in accordance with the law and the requirements of safety.

22. Recommends the establishment or alteration of attendance boundaries for all schools in the interest of good administration of the instructional program, and approves the special transfer of students from one neighboring district to another only when conditions in each case warrant such action.

23. Makes recommendations with reference to the location and size of new school sites and of additions to existing sites, the location and size of new buildings on school sites; the plans for new school buildings; all appropriations for sites and buildings; and improvements, alterations, and changes in the buildings and equipment of the district.

24. Recommends to the Board sales of all property no longer required by the Board, and supervises the proper execution of such sales.

25. Keeps informed of modern educational thought and practices by advanced study, by visiting school systems elsewhere, by attending educational conferences, and by other appropriate means, and keeps the Board informed of trends in education.

26. Performs such other tasks as may from time to time be assigned by the Board.

DUTIES SPECIFIED BY LAW:

1. Report to the Board of Education re: educational program and facilities of district - N.J.S.A. 18A:17-20.

2. Serve as non-voting member of Board of Education - N.J.S.A. 18A: 17-20.

3. Provide general supervision of district schools - N.J.S.A. 18A: 17-20.

4. Assume supervision for district instruction - N.J.A.C. 6:3-1.12(b).

5. Select and recommend all textbooks, equipment supplies, and other educational materials for Board approval - N.J.A.C. 6:3-1.12(f).

6. Visit district schools to keep informed of their condition and progress - N.J.A.C. 6:3-1.12 (a).

7. Report to the Commissioner and County Superintendent on or before August 1 of each year on matters relating to district schools in a form directed by the Commissioner - N.J.S.A. 18A:17-21.

8. Be responsible for discipline and conduct of schools - N.J.A.C. 6:3-1.12 (b).

9. Authority to suspend staff - N.J.S.A. 18A:25-6.

10. Authority to appoint office personnel - N.J.A.C. 6:3-1.12(d).

11. Authority to nominate assistant superintendent - N.J.A.C. 6:3-1.12(c).

12. Ascertain teacher certification - N.J.A.C. 6:3-1.12(g).

13. May serve as high school principal - N.J.A.C. 6:27-1.6(b).

14. Direct the development of policies and procedures to accomplish the evaluation of all tenured teaching staff members.- N.J.A.C. 6:3-1.21.

TERMS OF EMPLOYMENT: Twelve months a year. Contract terms and salary to be negotiated with the Board.

EVALUATION: Performance of this job will be evaluated annually in accordance with provisions of the Board's policy on Evaluation of the Superintendent.

Approved by: _____ Date: _____
(Board of Education)

CHAPTER 9

EVALUATING THE SUPERINTENDENT

AN OVERVIEW

INTRODUCTION

The regulations (NJAC 6:3-1.21) do not call for the development of policies and procedures for the evaluation of the Superintendent. However, NJSBA and RBS believe that this chapter should be included as we consider staff evaluation in its broadest context. Accordingly, this special chapter has been prepared to assist Boards of Education and their Chief School Administrator. The chapter opens with an emphasis on communications in and between the Board and the Chief School Administrator; discusses making judgements on the part of the Board; and includes the several purposes that undergird the evaluation of the Chief School Administrator. These key points are followed by a series of topics that must be considered prior to the preparation of the actual evaluation instrument:

- Board Self-evaluation
- Executive Skills
- Progress toward Objectives
- Some Words of Caution

The sample instrument is suggestive in nature; there are a number of Evaluative Instruments to draw from when developing your local district format. The NJSBA Management Information Resource Library contains an extensive collection of evaluation instruments presently in use throughout New Jersey and the Nation. Materials may be borrowed by contacting the Management Information Department at NJSBA headquarters in Trenton or through your local NJSBA Field Services office.

In closing, the NJSBA and RBS Inc. are indebted to Mr. Glenn Tecker, Director of Management Information, New Jersey School Boards Association for the preparation of this chapter.

"I will recognize that my responsibility is not to run the schools but, together with my fellow board members, to see that they are well run."

New Jersey School Board Member
Code of Ethics

Your superintendent is special. Overall, the superintendent's performance probably has more to do with district progress, community satisfaction, and the board's peace of mind than any other single factor. The board's relationship with its superintendent is critical to his or her performance. A good relationship is founded on common understanding and mutual respect. Together, that adds up to trust. Maintaining trust requires a systematic and continuous flow of information between those governing the district and those managing implementation of governance decisions. The board can govern when it knows what its superintendent is going to do and whether it's getting done. The superintendent can manage when he or she knows what the board expects. A sound performance evaluation program should facilitate that communication.

Evaluation is identifying, collecting, interpreting and providing information for the purpose of judging effectiveness. The word judging is underlined because evaluation requires you to make a decision. At some point, that decision requires judgement. The availability of information cannot guarantee sound judgement. But the consideration of good information in making judgement can dramatically increase the probability that it will be sound. The trick is to identify what decisions you will be making and what information you will need to make them.

Boards are elected or appointed to exercise judgement on behalf of the community and state they represent. The board's judgements are expressed in policy and adopted motions. Those judgements are usually about:

(1) what is to be taught;

(2) whether what is supposed to be taught is being learned; and

(3) whether the resources needed for learning are available and being used as efficiently as possible.

When those decisions (judgements) are made, the superintendent's job is to see that they are implemented. The board's job, having set the directions, is to make sure the district stays on course.

The superintendent's evaluation starts when the board sets goals and objectives. The board holds its chief executive accountable for the district's progress towards those goals and objectives. The superintendent should not be held accountable for something he or she didn't know was supposed to be done. By establishing what is expected, what is involved in achieving that expectation, and by reviewing regular reports on progress - evaluation becomes a tool for fulfilling the board's responsibility to govern the district.

The evaluation of staff has two basic purposes. Superintendent evaluation has three. The two common purposes are: (1) to provide information to the employee to improve their performance; and (2) to provide information to be used for personnel decisions. The very special purpose of the superintendent's evaluation is to provide a method for the board, in concert with its chief executive officer, to establish direction and monitor progress toward it. In a sense, the district's T&E planning, the board's policy function, and the superintendent's management responsibilities all merge in an ongoing performance evaluation program.

A comprehensive evaluation of a superintendent has three foundations. The first is progress towards objectives; the second is demonstration of executive skills; and the third is the board's evaluation of its own performance.

Self-Evaluation

It's a good idea for the board to evaluate itself first. As a team, the board and its superintendent are cooperatively and mutually accountable for the progress of the school district. When a superintendent "fails" some of the fault will be shared by the Board. Boards owe it to their own credibility to make some judgements as to whether individual members and the board as a body, have held up their end of the governance/management relationship. There are many self-study instruments to evaluate the board's performance that can be modified to meet a district's needs. However it's done, it's an important perspective to have before judging a superintendent's effectiveness. It will be difficult to hold a superintendent accountable if board actions, or lack of actions, have been an obstacle to success. Board self-evaluation is descussed in more detail in Chapter 10.

Executive Skills

The board's primary concern should be whether satisfactory progress is being made in achieving established objectives. But, the board will probably also want to concern itself with whether the superintendent demonstrates the "right" kind and degree of executive skills. In other words, is the superintendent leading the district in the "right" areas in the "right" way. A superintendent's effectiveness is, in large measure, related to the character of his or her leadership or "management style". Here again, judgement is critical. None one style is best for all. Different districts have different expectations. Different situations are best served by different approaches to management. Or, more bluntly, the best "style" for a superintendent is the one that suits expectations and also gets the job done.

Traditionally, superintendents have been evaluated on the basis of some checklist of such characteristics or roles. The board completes what amounts to a survey on which each member rates the superintendent in various categories. Ratings are either on a numbered scale or something like "outstanding", "satisfactory", "needs improvement", and "unsatisfactory." The ratings are totalled, divided by the number of people submitting them, and an average of some sort is produced. The assumption is that the average represents the board's collective judgement of the quality of performance.

The failure of such a system, when used alone, is that it does not provide information for either the superintendent or a "record" about the basis for those judgements. It also fails to address whether the superintendent accomplished what was expected. It merely describes how he or she went about doing whatever it was they did. However, as one part of a three part evaluation program, it can provide an opportunity for the board and the superintendent to assess perceptions of how the superintendent is performing. With this in mind, a summary of ratings, rather than a misleading average, can serve a useful purpose. Because many such checklists and rating scales are available, there is no need to reinvent the wheel. (one sample is included in this chapter) But, it is important for the board and the superintendent to review samples and "customize" a list that reflects their values and expectations.

Progress Toward Objectives

For the purpose of explanation, this part of the evaluation program can be viewed in five steps. Step one is to set the objectives. Objectives, sometimes called "job targets", can come from several sources. They can result from T&E needs assessments. They can be identified by looking at the superintendent's job description and deciding what needs to be done in each area of responsibility. They can emerge from discussions expressly held to set them. They can be suggested by the superintendent. Regardless of its source, an objective will be a statement of what the superintendent is expected to accomplish and by when. Objectives should be determined with the superintendent. One of the things the board needs to know is whether the objective is realistic. Information from the superintendent is very valuable in making this judgement. It is important to note that when the board and the superintendent disagree about an objective, the board has the final say. It's also important to remember that if the objective is a bad one there can be consequences for the board and the district as well as the superintendent. We'll assume that good faith and reasonableness will prevail and move on to the next step.

The objectives are proposed. Now it's the superintendent's turn. In step two, the superintendent takes those objectives and, with the administrative team, develops an action plan for each objective. Each action plan describes: (1) the major activities involved in achieving the objective; (2) when each major activity will be accomplished; (3) the resources required; and (4) what events or products will indicate that the objective has been achieved.

The superintendent brings the action plan back to the board. In step three, the board reviews each plan and through discussion it is approved, modified or dropped for some reason. This time we'll assume the worst. Either no plans are presented or they are totally unacceptable. If plans are not presented by an established date for no acceptable reason, the superintendent is insurbordinate. If the plans are unacceptable, the Board directs that they be revised by an established date, and is very specific about the revisions. Hopefully the worst won't happen. But, if it does, there is a record which can serve as the basis for a personnel action. Having too quickly treated what might occur in an historically bad board/superintendent relationship we continue to step four.

Action plans have been reviewed and approved. The board directs the superintendent to implement the plan. Step four -- over the course of time the superintendent provides the board with progress reports. The path toward accomplishing the objectives has already been laid out in the action plan. Target dates for the major activities serve as the schedule for progress reports. Through the progress reports the board monitors implementation of the plans. A regular flow of information has developed. Sometimes progress reports will indicate the need for a "course correction". Not only is this OK -- it is desirable. Making judgements on the basis of information while something is in progress is called "formative" evaluation. The purpose of formative evaluation is to insure that plans stay on target -- rather than waiting until the target has been missed and then trying to determine why it was missed. In formative evaluation, the superintendent's evaluation program has been merged with the board's governance responsibility.

Step five is "summative evaluation". Did the superintendency do its job? Did the superintendency fulfill its responsibilities? Did the superintendency accomplish its objectives to the board's satisfaction? The board's responsibility is to determine whether it is satisfied with the progress made toward the objectives. Progress is continuous. Sometimes, even with formative evaluation, an objective will not be achieved. Sometimes an objective will have been only partially achieved. The superintendent's responsibility in such instances is to provide a satisfactory explanation as to why. The board must collectively judge whether the reasons given for not meeting the objective are satisfactory. Satisfaction is a value judgement. At this point, the evaluation process clearly becomes subjective. If the system has been working right, this should not happen too often. But, when it does, the board must recognize its roles and responsibilities and, if necessary by majority vote, make up its collective mind.

Some Words of Caution

This approach to superintendent evaluation will not happen overnight. It requires patience, commitment, and lots of common sense. It's easiest to start and work with when there is a good board/superintendent relationship; where there exists respect for the differences between governance and management and a common understanding of their proper interaction. Where trust exists, the evaluation program can help to maintain it. Where there are problems, it may help to remedy

them. Come judgement day the board and its superintendent should have information about the board's performance, the superintendent's demonstration of executive skills, and the district's progress towards its objectives. That's a fairly substantial basis for decisions. It does not guarantee that your decision will be the best one -- but it should give the board more than a little confidence that it has taken its best shot.

SAMPLE

SUPERINTENDENT'S EVALUATION: PROGRESS TOWARD DISTRICT GOALS AND OBJECTIVES

Goal #: _____

Problems: (a) _____ (c) _____

(b) _____ (d) _____

OBJECTIVE (s)	Superintendent's Assessment		Board's Evaluation	
	Achieved	Not Achieved and Why	Agree	Disagree with Supt. Assessmemt and Why
(1)	☐	☐	☐	☐
(2)	☐	☐	☐	☐
(3)	☐	☐	☐	☐
(4)	☐	☐	☐	☐
(5)	☐	☐	☐	☐
(6)	☐	☐	☐	☐
(7)	☐	☐	☐	☐
(8)	☐	☐	☐	☐

SAMPLE

SUPERINTENDENT'S EVALUATION

DEMONSTRATION OF EXECUTIVE SKILLS

Instructions: Please evaluate the superintendent's performance by scoring each item. A score of (1) is the lowest possible score and cannotes gross incompetence; a score of (6) indicates excellent and/or commendable performance.

		RATING					
		Unsatis-factory		Satis-factory		Commend-able	
		1	2	3	4	5	6
1.	Ability to Manage						
1.1	Exhibits competence in planning, organizing and follow-through.						
1.2	Maintains control of organization.						
1.3	Shows good understanding of labor relations						
1.4	Prepares well before giving instructions						
2.	Ability to Lead						
2.1	Establishes clear expectations						
2.2	Assumes initiative in identifying and solving problems.						
2.3	Involves faculty, staff, and students in decision making process while maintaining responsibility for final decision.						
2.4	Gains the confidence of all segments of the community						
2.5	Gains the confidence of board employees						
2.6	Exhibits integrity in all dealings						
2.7	Exhibits genuine concern for the school children						
2.8	Earned the confidence and respect of the community						
2.9	Conducts self with an acceptable degree of professionalism						
2.10	Resists pressure from all sources to take actions he considers not in the best interest of children, employees and taxpayers						

		Unsatis-factory		Satis-factory		Commend-able	
2.11	Is appropriately political or non-political	1	2	3	4	5	6
2.12	Refrains from personal involvement in political world of the community						
2.13	Shoulders responsibility for mistakes and does not attempt to blame others						
3.	Ability to Communicate						
3.1	Communicates clearly and thoroughly						
3.2	Exhibits adequate verbal ability						
3.3	Uses appropriate illustrations and examples						
3.4	Shows communicative adaptability to various publics						
3.5	Recognizes non-verbal communication						
3.6	Develops good relations with the media						
3.7	Permits a free flow of information from administrators to board members which board members need to make decisions						
4.	Ability to Make Decisions						
4.1	Collects adequate information before making decisions						
4.2	Uses reliable sources of information						
4.3	Does not delay important decisions nor allow pressure to cause hasty decisions						
4.4	Explains reasons for decisions to persons affected						
4.5	Delegates decision making wherever appropriate						
4.6	Understands the importance of timing to decision making						
4.7	Selects the best candidates for positions						
4.8	Wields authority wisely and equitably						

		Unsatis-factory		Satis-factory		Commend-able	
		1	2	3	4	5	6
4.9	Attempts to maintain an objective view when solving problems						
4.10	Has a working knowledge of New Jersey school law and applies it in making decisions						
4.11	Follows the advice of board attorneys and veteran administrators when differences of opinion exist regarding important problems						
4.12	Gives employees an opportunity to differ with his proposals and to submit alternatives						
4.13	Encourages staff to speak up when they believe his proposals are not in the best interests of the district						
5.	Responsiveness to Others						
5.1	Exhibits openess and humaneness in dealing with others						
5.2	Inclined toward praising success						
5.3	Reacts to mistakes with patience						
5.4	Corrects individuals in private						
5.5	Friendly and openminded in meeting situations						
5.6	Steady and even-tempered but not self-effacing under severe criticism						
5.7	Cooperates well with colleagues						
5.8	Is courteous, honorable, and fair in dealings with subordinates						
5.9	Attempts to remove race as an issue in the plans, deliberations, and actions of the Board and Administration						
5.10	Is fair in his dealings with employees and their representatives						
5.11	Is "color-blind" and scrupulously avoids actions which might violate the rights of individuals or groups						

		Unsatis-factory		Satis-factory		Commend-able	
		1	2	3	4	5	6
5.12	Does not give special treatment to some administrators while ignoring others						
6.	Ability to Maintain an Effective Educational Climate						
6.1	Encourages an "esprit" forming a sense of adventure at school						
6.2	Provides for a cooperative feeling among students and teachers						
6.3	Promotes good motivational techniques						
6.4	Allocates resources fairly and effectively						
6.5	Encourages students to be self-educating while also demonstrating adequate self-control and personal discipline						
6.6	Recognizes the achievement of students and faculty						
6.7	Provides for extra-curricular learning opportunities						
6.8	Requires school programs to reflect sound, research-based educational practices						
6.9	Frequently visits schools to chat informally with teachers and pupils						
6.10	Creates an atmosphere conducive to learning						
7.	Creativity						
7.1	Demonstrates imagination in the solving of educational and technical problems						
7.2	Exhibits alertness, resourcefulness, and ingenuity						
7.3	Shows flexibility without being formless						
7.4	Encourages creative approaches by subordinates						

		Unsatis-factory		Satis-factory		Commend-able	
		1	2	3	4	5	6
8.	Implementation of Board Policies and Procedures						
	8.1 Knows board policies and proceeds to implement them at the best level possible						
	8.2 Assumes responsibility for requesting changes as necessary in policies or procedures						
	8.3 Expresses opinions on policy-making directly to the appropriate council (board)						
	8.4 Supports policy decisions as finalized						
	8.5 Respects the policy-making authority and responsibility of the Board						
	8.6 Administers affirmative action in an equitable way						
	8.7 Knows and understands the limitations of employee contracts						
9.	Supervision and Staff Development						
	9.1 Encourages the professional growth of faculty and staff						
	9.2 Assists subordinates in setting objectives and in reaching those objectives						
	9.3 Understands the importance of goal setting to improved performance						
	9.4 Uses evaluation instruments appropriately.						
	9.5 Shows honesty in evaluation by identifying areas of inefficiency as well as areas of strength.						
	9.6 Exhibits personal interest in the welfare of individuals						
	9.7 Supports competent faculty and staff for promotion whenever appropriate						
	9.8 Improved the morale of employees						
	9.9 Gives all administrators opportunity to share the spotlight.						

	Unsatis-factory		Satis-factory		Commend-able	
	1	2	3	4	5	6
9.10 Discourages administrative cliques.						
10. Physical and Financial Resources						
10.1 Plans budget carefully						
10.2 Controls budget, maximizing the use of resources available						
10.3 Coordinates objectives and priorities with resource allocation						
10.4 Understands fiscal situations generally						
10.5 Utilizes the physical plant well						
10.6 Requests appropriate preventative maintenance and building renewal plans						
10.7 Seeks to create pride in the appearance of buildings and grounds						
10.8 Is a good manager of money available in the budget						
10.9 Sets a good example of fiscal restraint						
10.10 Shows a capacity for knowing where funds should be allocated to do the best for children						
10.11 Prepares a realistic budget and keeps spending within the budget						
11. General Knowledge						
11.1 Exhibits awareness of the main events of public life and relates these to the educational scene						
11.2 Shows alretness to new knowledge that might benefit students or faculty						
11.3 Keeps current in educational sociology and educational pschology, reviewing professional periodicals and books						
11.4 Participates in professional organizations						

COMMENTS

Instructions: Please provide specific examples which served as the basis for any unsatisfactory (1 or 2) rating on the preceding items.

1. Ability to Manage _____

_____

_____

_____

2. Ability to Lead _____

_____

_____

_____

3. Ability to Communicate _____

_____

_____

_____

4. Ability to Make Decisions _____

_____

_____

_____

5. Responsiveness to Others _____

_____

_____

_____

6. Ability to Maintain an Effective Educational Climate _____

_____

_____

COMMENTS (Continued)

7. Creativity_____

_____

_____

_____

8. Implementation of Board Policies and Procedures_____

_____

_____

_____

9. Supervision and Staff Development_____

_____

_____

_____

10. Physical and Financial Resources_____

_____

_____

_____

11. General Knowledge_____

_____

_____

12. Other Comments_____

_____

_____

_____

SAMPLE

*BOARD OF EDUCATION
SELF-EVALUATION

Directions: This questionnaire presents 49 statements about Board and board member responsibilities which the Board of Education believes are important to the effective governance of the public schools.

Some questions relate only to the Board of Education as a total group. Other questions relate to both the Board as a group and to each individual board member. When a question relates to both the group and individuals, the response area is divided in half so that a rating can be given for each.

The questionnaire is to be completed by each board member. All questionnaires will be forwarded to the board secretary for tabulation. The board secretary will provide a summary of responses to each board member.

*NOTE: This section is included here because the board evaluation is part of the process for the superintendent evaluation. The next chapter treats evaluation of school boards in depth.

BOARD OF EDUCATION
SELF-EVALUATION

Areas of Responsibility	Degree of Success				
	Poor	Inadequate	Adequate	Good	Excellent
A. Relationship With Superintendent 1. Establishes written policies for the guidance of the superintendent in the operation of the schools.					
2. Provides the superintendent with a clear statement of the expectation of performance and personal qualities against which he will be measured periodically.					
3. Invites communication from the superintendent.					
4. Reaches decisions only on the basis of study of available background data and consideration of the recommendation of the superintendent.	BRD				
	IND				
5. Requests information through the superintendent and only from staff members with the knowledge of the superintendent.	BRD				
	IND				
6. Provides a climate of mutual respect and trust offering commendation whenever earned, and constructive criticism when necessary.					
7. Matters tending to alienate either board members or superintendent are discussed immediately rather than being permitted to fester and deteriorate.					
8. Provides opportunity and encouragement for professional growth of the superintendent.					

Areas of Responsibility	Degree of Success				
	Poor	Inadequate	Adequate	Good	Excellent
9. Takes the initiative in maintaining a professional salary for the superintendent comparable with salaries paid out similar responsibility in and out of the profession.					
B. Community Relationships					
10. Encourages attendance at board meetings.					
11. Actively fosters cooperation with various news media for dissemination of information about the school program.	B R D				
	I N D				
12. Insures a continuous planned program of public information regarding the schools.					
13. Participates activiely in community affairs.	B				
	I				
14. Channels all concerns, complaints, and criticisms of the school system through the superintendent for study with the expectation that he will report back to the board if action is required.	B				
	I				
15. Seeks to prevent unjust criticism of the superintendent from vocal special interest groups and defends the superintendent when unjust & criticism is voiced.					
16. Encourages citizen participation in an advisory capacity in the solution of specific problems.					
17. Is aware of community attitudes and the special interest groups which seek to influence the district's program.	B				
	I				

Areas of Responsibility	Degree of Success				
	Poor	Inadequate	Adequate	Good	Excellent
C. Board Meetings 18. Has established written procedures for conducting meetings which include ample provision for the public to be heard but prevents a single individual or group from dominating discussions.					
19. Conducts its meetings in facilities that allow the districts business affairs to be conducted by the board and its administrative staff effectively.					
20. Selects a chairman on the basis of his or her ability to properly conduct a meeting.					
21. New items of a complex nature are not introduced for action if they are not listed on the agenda but are presented for listing on a subsequent agenda.					
22. Definitive action is withheld until asking if there is a staff recommendation and what it is.					
23. Good judgement is used in criticizing a staff recommendation.	B I				
24. The privilege of holding over matters for further study is not abused.	B I				
25. Each member makes a sincere effort to be informed on all agenda items listed prior to the meeting.	B I				
26. Controversial, complex, or complicated matters are held over or placed on the agenda for discussion only, prior to consideration for adoption					
D. <u>Staff and Personnel Relationships</u> 27. Develops sound personnel policies, involving the staff when appropriate.					

Areas of Responsibility		Degree of Success				
		Poor	Inadequate	Adequate	Good	Excellent
28. Makes provision for the complaints of employees to be heard, and after full study if staff dissatisfaction is found to exist, takes action to correct the situation through appropriate administrative channels.						
29. Is receptive to suggestions for improvement of the school system.						
30. Encourages professional growth and and increased competency through:	B					
a. Attendance at educational meetings.	I					
b. Training on the job.	B					
	I					
c. Salary increments which recognize training and experience beyond minimum qualifications for a given position						
31. Provides a written policy protecting the academic freedom of teachers.						
E. Relationship to the Instructional Program						
32. Understands the instructional program and the general restrictions imposed on it by the Legislature, the State Board & Commissioner, and other appropriate agencies.	B					
	I					
33. Realistically faces the financial ability of the community to support a quality education for its children.						
34. Encourages the participation of the professional staff, and in certain instances the public, in the development of the curricula.						
35. Weighs all decisions in terms of what is best for the students.	B					
	I					

Areas of Responsibility		Degree of Success				
		Poor	Inadequate	Adequate	Good	Excellent
36. Provides a policy outlining the district's educational objectives against which the instructional program can be evaluated.						
37. Keeps abreast of new developments in course content and teaching techniques through attendance and participation in school board association conferences and meetings of other educational groups and by reading of selected books and periodicals.	B					
	I					
F. Relationship of Financial Management of the Schools						
38. Equates the income and expenditures of the district in terms of the quality of education that should be provided and the ability of the community to support such a program.	B					
	I					
39. Takes the leadership in suggesting and securing federal, state, community and other relevant support for additional financing when necessary.	B					
	I					
40. Establishes written policies to provide for sound district and school fiscal operations and effective management procedures.						
41. Votes to authorize individual budgetary allotments and special non-budgeted expenditures only after considering the total needs of the district.	B					
	I					
42. Makes provision for long-range planning for acquisition of sites, additional facilities, and plant maintenance.						

Areas of Responsibility		Degree of Success				
		Poor	Inadequate	Adequate	Good	Excellent
G. Personal Qualities						
43. A sincere and unselfish interest in public education and in the contribution it makes to the development of children.	B					
	I					
44. Has a knowledge of the community which the school system is designed to serve.	B					
	I					
45. Demonstrates an ability to think independently, to grow in knowledge and to rely on fact rather than prejudice, and a willingness to hear and consider all sides of a controversial question.	B					
	I					
46. Has a sense of loyalty to other board members.	B					
	I					
47. Shows respect for group decisions cooperatively reached.	B					
	I					
48. Has a respect for, and interest in people and ability to get along with them.	B					
	I					
49. Has a willingness to devote the necessary time to become an effective board member.	B					
	I					

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CHAPTER 10

EVALUATING THE BOARD'S PERFORMANCE

INTRODUCTION

The regulations (NJAC 6:3-1.21) do not call for the development of policies and procedures for the evaluation of the Board's performance, but the NJSBA and RBS, Inc. feel that it should be addressed to cover all aspects of evaluation as it relates to Education. Accordingly, this special chapter has been prepared to assist Boards of Education and their Chief School Administrators to better understand whether the Board is effectively fulfilling its role. The chapter opens with an Overview of Self-evaluation and all of its ramifications and a sample policy. This is followed by a discussion of the evaluation of school board operational procedures, a self-survey of perceptions about school board roles and functions, and sample Self-evaluation forms.

The sample self evaluation forms include a number of key points that should be carefully reviewed by Board members as they seek to determine what is locally appropriate. Boards should examine these samples, but more specifically the individual items contained in each, in order to become fully conversant with the kinds of things important to the evaluation process.

In closing, the NJSBA and RBS, Inc. are indebted to Peter Rosamelia Assistant Executive Director for Administration at NJSBA for the preparation of this Chapter. Peter's assistance is truly appreciated; it helped to make this challenging undertaking much less difficult.

Evaluating the Board's Performance

The responsibilities of the local school board are monumental in scope and far-reaching in their effect and influence. Each year shows the public becoming increasingly involved in, and concerned with, the role of the local board of education in the governance of the schools. As the social institution which is acknowledged to be the possession of all the people, the schools are being held culpable for society's ills. The expansion of knowledge is occurring at a rate which is difficult to comprehend. Those most directly involved in the education of children -- the teachers -- are demanding more and more employee rights from boards.

The role of the board is not easy. It is complex and wearing, demanding and arduous. Coping with the task requires direction, a sense of purpose, and leadership of the highest order.

How does the board know it is fulfilling its role effectively? Although the board spends a good deal of its time in the evaluation of others, often the only assessment it ever undergoes is that which occurs in the voting booths when board members run for re-election. Needless to say, this process has little, if anything, to do with improving the effectiveness of the board's functioning. In an era when accountability seems to be the byword, boards must not labor under the erroneous assumption that the word exists only for those who deal with children on a day-to-day basis and that accountability stops at the superintendents's office. It does not! As the body most directly responsible for the governance of the school system, the board is not, and cannot, be absolved from a critical look at its operation.

One method of assessing the board's effectiveness is the self-evaluation technique. Self-evaluation is introspective; it requires, by its very title, that the evaluation be done not by outside individuals or consultants but rather by the board members themselves -- those involved in and responsible for, the success or failure of the board as it strives to give the school system direction and purpose.

Self-evaluation is a positive process. It highlights what is being done effectively. It provides the board with the best opportunity to identify strengths (and take a well-earned, infrequently-received, collective pat on the back!) It is not a witch-hunt, designed to point an accusatory finger at any individual or group. Any such project is doomed to failure.

While on the one hand self-evaluation serves to highlight strengths, it also provides the mechanism for spotting weaknesses. When the weaknesses are identified, what follows next is a basic human desire -- the desire to improve. If the board gets to the point of airing what it identifies as a failing or defect in its functioning, it will want to correct the problem. Improvement is facilitated; board members are motivated to work for betterment, both of themselves and of the board.

What is perhaps even more important is that self-evaluation provides the yardstick against which the future performance of the board will be measured. Regardless of what method the board chooses to assess its own performance, the resulting evaluative instrument, however simple or complex, becomes a standard against which the board can gauge its performance.

In its most rudimentary form, self-evaluation is asking yourself, "How well are we doing compared to what we are expected to do?" If the board assumes its role to be the approval of bills and the development of the budget, then the question can be answered simply, with minimal investigation. If, on the other hand, the board sees its role as inextricably tied to the very success or failure of the school district, if it sees itself at the helms, charting both the purpose and direction of the district through the establishment of goals and objectives, and discharging its responsibilities to the fullest extent allowed by the law, then the question becomes. "How well are we doing compared to what we are expected to do?"; a more demanding standard, which requires a considerably greater commitment.

Somewhere between the two extremes lies the self-evaluation technique that is right for your board. The decision must be made by the entire board. Under no circumstances should any method, technique, or instrument be imposed upon the board by one individual or group.

Once the board has made the commitment to examine its operation, it must then decide the process by which it will accomplish the task. There are a number of techniques available.

An analysis of the minutes of board meetings can often yield startling facts about how much time and attention is devoted to such matters as curriculum, evaluation, allocation of resources, formulation of policy, and the setting of goals and objectives. Although such an analysis might indeed form the sole basis for a self-evaluation, it is best to include it as a part of the total self-evaluation process.

Periodic examination of goals and objectives (now required under T&E laws) can provide the basis for a self-evaluation program. "How appropriate are our goals and objectives?" "Which ones can or must be carried over for additional effort?" Although such an examination concerns itself with one of the most vital roles of the board, it is limited in scope in terms of the board's responsibilities and should therefore constitute one element of the self-evaluation package. If the district is approaching superintendent evaluation as described in Chapter 8, this process is already in place and the board is well aware of its responsibilities for such assessment.

A less formal method involves the assessment of comments and criticisms of constituents. "How vocal is the public?" "What do they have to say about the management of the schools?" "What are their concerns about the financial requirements to operate the schools?" "What appears to be the crux of public complaints?" An Assessment of the confidence placed in the board by the board's functioning.

Most popular among the various self-evaluation techniques is the questionnaire. The questionnaire makes the process more manageable by providing the questions (or statements) against which the board is able to appraise its own performance. Questionnaires, or self-appraisal instruments, exist in many forms. Some are lengthy and all-inclusive -- others are designed to be used to measure effectiveness in just one facet of the board's operational procedure. (Such an example appraisal instrument for the treatment of agenda items is included in this chapter).

Such instruments require assessment of the board's treatment of appropriate agenda items against the statement, indicating if agenda items were, or were not, so treated.

Other instruments categorize evaluative questions or statements under broad headings such as, legal and legislative, board meetings, policy development, the board and the superintendent, the instructional program, community relations, etc. Under each category can be found the statements against which the board measures its own performance. (an example of such an instrument is included in this chapter).

A simple rating scale -- Excellent, Adequate, Improve -- is often used in such instruments. Others are like report cards, requiring the respondent to circle a letter grade, each with a specified meaning.

The rating scale is a matter of the board's choice and will depend largely upon the type of instrument used, the evaluative statements, and how the board intends to use the material.

It is possible, indeed desirable, to assess one's own performance in terms of his or her own performance with respect to the board's roles and functions. The board may elect not to share such personal assessments with each other, providing it is merely for the benefit of the individuals. If such is the case, the board members' portion of the form should be separate from the portion dealing with the board as a whole. (an example of a dual-purpose instrument is included in this chapter).

The board should decide whether to use one of the many available instruments in its entirety, extract various elements from several instruments, or devise one to suit its own needs. Once a form has been devised, it can be embellished and fine-tuned annually or as often as the board evaluates itself, each time being modified to more accurately reflect the changing needs of the district. Items which do not apply should be removed; those which had not been addressed in the past should be added.

Completion of the form or questionnaire should be required of all board members as well as those who regularly sit with the board, such as the superintendent. The board may delegate responsibility to a committee, but this is less desirable than having all participate. If the responsibility is given to a committee, a complete report of the committee's findings is an essential component in the evaluation process. In either case, responses to the items must be supported by evidence and not made in the heat of emotion.

If a board member refuses to participate in the process, it is important for the others to attempt to convince him/her of the importance of the activity and the need for his/her perceptions. Failing in this, the board should proceed without the non-participating member.

What happens after all the forms are completed and all the information is collected? Then comes the most important step in the process-identifying weaknesses and planning to improve. In addition, it is important to acknowledge the areas of strength and plan to capitalize upon them and reinforce them. The discussion that ensues when the information is analyzed is the catalyst for further action. It is then that the board seeks, either through inservice programs or other means, to embark upon a planned path to improvement.

Self-evaluation should be an annual event. If it does not occur at least that often the board is not assessing its performance often enough. Evaluation is an on-going process, occurring continually, but must be formalized at least once a year. The optimum time is after the new board members have had sufficient time to become familiar enough with their responsibilities to respond knowledgeably to the questions or statements.

It is important that the board adhere strictly to the requirements of the Sunshine Law. However, it is equally important to reserve a meeting exclusively for considering the results of the assessment. Other items on the agenda will only serve to relegate the project to a position of lesser importance, with the possibility of its never being considered at all.

Yes, self-evaluation is a luxury. But it is a luxury boards cannot afford to be without. Boards should not fall into the trap of claiming. "We don't have enough time. There are other more important things to do." Time must be deliberately set aside. There are a number of time-saving techniques that will not impair the effectiveness of the self-evaluation program, but will enable the board to get through the task without any wasted time.

Technical assistance is available from the Field Services Department of the NJSBA. Local field representatives will provide boards with sample forms, assist them in developing their own, assist with analyzing the results, help plan improvement programs, and generally, take the board through the entire process. Assistance with improvement programs is also available from NJSBA's Inservice Department, through the Field Service Representative.

If school board members are ready to acknowledge the prominent role they play in our society, then they should be prepared to insure that their role and that of the board of education is carried out in the most effective manner possible. Whether education succeeds or fails depends in large measure upon the effectiveness of the local school board. That board must stand ready to insure the success of its schools by willingly accepting one of its major responsibilities -- self-evaluation.

SELF-EVALUATION FOR SCHOOL BOARD MEMBERS

The School Board members shall annually conduct a self-evaluation to determine the degree to which they are meeting their responsibilities as Board members and the educational needs of the school community. Such a self-evaluation should be directed toward positive criticism and should be frank and honest in identifying areas which should be strengthened by individual members as well as by the total board. It is the intent of this policy that this self-evaluation process shall be used to establish priorities for action and to establish specific goals and objectives to stregthen the operation of the Board and the contributions of each individual, and to identify the areas and activities which should be addressed by the Board and its members in order to improve the quality and functioning of the Board of Education.

The Scotch Plains-Fanwood Board of Education shall use the self-evaluation instrument as recommended by the New Jersey School Boards Association until such time as the Board may amend or approve a substitute instrument.

This policy is adopted as a supportive measure for the planning requirements for New Jersey school districts in conjunction with "Thorough and Efficient" Legislation, Chapter 212.

Date: April 20, 1978

Source: Scotch Plains-Fanwood Public Schools, New Jersey

SAMPLE

MY SCHOOL BOARD AND I--
HOW THOROUGH AND EFFICIENT?
A self-survey of perceptions about
school board roles and functions

Read This First, Please:

1. Please complete the entire questionnaire. Respond to each item by circling either A, B, C, D, or E to indicate the degree to which your board, or you as an individual board member, meet(s) each criterion (see the Response Key, below).
2. Answer all the questions with candor, stressing strengths as well as weaknesses. You need not sign your name.

Response Key: The board, or you as a board member--

A--always or totally meet(s) criterion

B--usually or mostly meet(s) criterion

C--occasionally or to a fair degree meet(s) criterion

D--seldom or to a small degree meet(s) criterion

E--never or to no degree meet(s) criterion

I--LEGAL AND LEGISLATIVE RESPONSIBILITIES

About the Board:

A B C D E The board conducts its business in a manner which conforms to state laws and to the regulations of the State Department of Education.

A B C D E The board enjoys an active and positive relationship with an attorney who specialized in school law.

A B C D E The board works actively through its state and national school boards associations in the development of a legislative platform.

**Source: National School Boards Association

About You, the Board Member:

A B C D E You are familiar with the board's role and responsibilities as defined by the New Jersey Constitution, the school code, and the regulations of the State Deparment of Education.

II--THE BOARD AND ITS MEETINGS

About the Board:

A B C D E The board calls only meetings or work sessions that are strictly necessary.

A B C D E The board has developed an adequate planning mechanism for determing agendas and having back-up reports and briefing papers (the "agenda packet") prepared for study before meeting time.

A B C D E The board has developed a clear policy as to the kinds of matters which need not be brought to the board's attention and which may be handled by administrative action.

A B C D E The board chairperson and the superintendent confer before each meeting to review the upcoming business, clarify agenda items, and anticipate possible problems.

About you, the Board Member:

A B C D E You do your homework and come to the meeting prepared to contribute to discussions, without wasting time by asking for information that has already been provided.

III--THE BOARD AND POLICY DEVELOPMENT

About the Board:

A B C D E The board regards policymaking as an ongoing, never-ending responsibility.

A B C D E The board has a policy manual which employs an easy-to-use condification system and is kept up-to-date.

A B C D E The board encourages--and has an adequate mechanism that permits--the involvement of staff, students, and community in the development of policy proposals.

A B C D E The board provides the superintendent with the opportunity to develop policy proposals, and does not write "instant policy" under the gun of emergencies or without giving due notice to public and staff that policy action is impending.

A B C D E The policy manual is placed in wide circulation throughout the school community and all who have a need to know--whether staff member, student, or citizen--have free and easy access to policy information.

A B C D E All copies of the policy manual are recalled by the central office annually to be checked for accuracy of content.

About You, the Board Member:

A B C D E You are familiar with the board's major policies.

A B C D E Once policy is adopted you adhere to it, and leave the implementation of policy to the administrative staff.

A B C D E You request periodic reviews of specific policies if current issues and trends appear to warrant a change.

IV--THE BOARD AND THE SUPERINTENDENT

About the Board:

A B C D E The board and the superintendent work together in a spirit of mutual confidence, and respect each other's area of responsibility.

A B C D E Before deciding any matter, other than the superintendent's contract, the board provides the superintendent with ample opportunity to develop staff recommendations for action.

A B C D E The board channel specific complaints and request concerning the schools through the superintendent.

About You, the Board Member:

A B C D E You request information through the superintendent, and not directly from staff members without the superintendent's knowledge.

A B C D E You invite communications from the superintendent and consider all background material he provides before you reach decisions.

V--THE BOARD AND THE INSTRUCTIONAL PROGRAM

About the Board:

A B C D E The board is familiar with the instructional program and the general qualifications imposed on it by state government, the State Department of Education, and the requirements of colleges and universities.

A B C D E The board weighs all decisions in terms of what is best for the students.

A B C D E The board provides a policy on the district's educational objectives.

A B C D E The board from time to time evaluates the instructional program, in the light of such educational objectives.

About You, the Board Member:

A B C D E You try to keep abreast of new developments in course content and teaching techniques through reading, attendance of and participation in school boards associations conferences, or other meetings of educational groups.

VI--THE BOARD AND ITS COMMUNITY RELATIONSHIPS

About the Board:

A B C D E The board, through a variety of means, encourages two-way communications with students, staff, and the public.

About You, the Board Member:

A B C D E You listen to, and consider, the recommendations of staff, students, and the public, but guard your proper and legal decisionmaking responsibility.

VII--ROLES AND FUNCTIONS

About the Board:

A B C D E The board creates only those committees that are necessary to help it conduct its business; it has no dead or functionless committees, or committees that ca carry out administrative assignments or responsibilities.

A B C D E The board has adopted a code of ethics for board members.

About You, the Board Member:

A B C D E You realize the board acts as a board, and do not yourself make statements, decisions, or commitments on the board's behalf.

SAMPLE

CHANGE

Self-evaluation by school boards

Periodically, a school board should take a critical look at itself to make sure it is discharging its responsibilities to the community as fully as possible. Self-evaluation should not consist of fault-finding or pointing fingers, but should be based on a positive approach-where are we doing well and where do we need to improve?

One technique for a board to follow would be for several members to review the board's performance using an instrument such as this one and report findings to the entire board for discussion and necessary action.

Another possible, more objective means would be to have a group of administrators, teachers, and citizens complete the evaluation and make recommendations for the board members to consider after they do a self-evaluation.

This instrument is not intended to be an exclusive one; add additional items according to local needs and challenges. And, be sure to give the board credit whenever appropriate-this should be a positive exercise.

When the analysis has been completed, the board may wish to set some priorities for action and draft a short and long-range series of steps to strengthen the adequate areas and climinate or correct the needs improvement areas.

SAMPLE

NEW JERSEY SCHOOL BOARDS ASSOCIATION

Board of Education-Operations Effectiveness Checklist

	Yes	No	Why This Is Not Applicable
1. All matters brought before the Board other than routine, have been given reference to existing Board policy and/or administrative procedures.	___	___	_____
2. Any matter not having a reference in Board Policy or Administrative procedure has a recommendation attached from Administration for Policy and Administrative Procedure.	___	___	_____
3. If 1 and 2 were not complied with, please explain why.			
4. Items not appropriately addressed by Board Policy were dismissed by the Board for consideration and directed to appropriate administration for action.	___	___	_____
5. Board attorney was contacted by administration on appropriate matters in question.	___	___	_____
6. All matters to be acted upon were previously reviewed, studied, and presented in writing to the Board by the Administration.	___	___	_____

	Yes	No	Why This Is Not Applicable
7. Agenda materials for regular and workshop meetings were in hands of Board members at least one full school day before the meeting.	___	___	_____
8. Agenda development was guided by the Executive officers of the Board, in conjunction with the Superintendent and Board Secretary/Business Manager.	___	___	_____
9. New issues for the Board's attention were channeled through the agenda development procedure and not brought up for the first time at the Board meeting.	___	___	_____
10. During Board meetings only one person was permitted to speak at a time.	___	___	_____
11. Speaking privileges were granted by recognition by the President.	___	___	_____
12. Board discussion was confined to the issue on the table.	___	___	_____
13. Non-pertinent discussion was ruled out of order.	___	___	_____
14. All Board members were provided opportunity to express their views on the issues.	___	___	_____
15. No issues before the Board were left without concrete direction unless tabled pending further study.	___	___	_____

	Yes	No	Why This Is Not Applicable
16. The Board President, Superintendent and Board Secretary/Business Manager conferred prior to the meeting to review upcoming business, clarify agenda items and anticipate potential problems.	___	___	_____
17. Minutes of Board Committees were distributed to all members of the Board.	___	___	_____
18. Issues brought before the Board for the first time by residents, students, or staff were referred back to the appropriate administrator for investigation and a recommendation or action.	___	___	_____
19. Written correspondence to the Board received written timely response.	___	___	_____
20. On critical issues, Board sampled community opinion.	___	___	_____
21. Staff members presented a brief report on their respective assignment areas.	___	___	_____
22. Meetings with staff by individual Board members were arranged through the Superintendent's office.	___	___	_____
23. Board member meetings with top administrators were by appointment only.	___	___	_____
24. Requests for staff reports required by Board or its committees were channeled through the Board President to the Superintendent or Board Secretary/Business Manager.	___	___	_____

_____ _____ _____

Board of Education Person Completing Form Date

A. Orientation	Excellent	Adequate	Improvement Needed
1. An outgoing orientation program is conducted by the superintendent and staff to provide board members with information and learning opportunities pertinent to their responsibilities.	____	____	____
2. A systematic program is conducted by the staff to orient newly elected or appointed board members to the nature of their duties and responsibilities and to acquaint them with board policies and operating procedures.	____	____	____
3. Resources of local and state agencies and organizations-the state school boards association, for example-are used whenever possible to bring information to the board and involve board members in learning activities.	____	____	____
4. Professional publications, educational periodicals, and other pertinent printed materials are made available to the board.	____	____	____
5. Board members attend state and national meetings of school board associations, state departments of education, and associations of educators.	____	____	____
B. Operational Methods			
1. The board operates according to written policies.	____	____	____
2. Board policies, rules, and regulations governing the schools are adopted, published and made available in all schools.	____	____	____

	Excellent	Adequate	Improvement Needed
3. Policies, rules, and regulations are updated at least yearly; changes are considered whenever necessary.	____	____	____
4. The board recognizes the superintendent's recommendations on policy matters.	____	____	____
5. The board delegates to the superintendent and staff the responsibility for administering board policy.	____	____	____
6. The board seeks-through surveys, advisory committees or public hearings-community reaction and opinion before making major policy decisions.	____	____	____
7. All meetings except executive sessions are open to the public and advertised well in advance.	____	____	____
C. Meetings of the Board			
1. Regular meetings of the board are scheduled at times and locations convenient to board members, the staff, and community residents.	____	____	____
2. Agendum are prepared by the superintendent and sent to board members, the news media, and interested staff and citizens well in advance of meetings.	____	____	____
3. Procedures which permit board members to include items in the agenda are specified in the board's operating policy manual.	____	____	____

		Excellent	Adequate	Improvement Needed
4.	A procedure for citizens to use to address the board is specified in the board's manual. Generally, citizens are allowed to address the board early in a meeting.	____	____	____
5.	Background and other written materials are made available through and by the superintendent to the board in advance of board meeting.	____	____	____
6.	Community leaders and other interested persons are sent agendum and other appropriate information in advance of board meetings.	____	____	____
7.	Minutes of regular and special meetings are kept and are available to staff and residents.	____	____	____
8.	Special meetings of the board are kept to a minimum and open to the public.	____	____	____
9.	Committee meetings are open to the public whenever possible.	____	____	____
10.	Executive meetings are held only for matters allowed by the Texas Open Meetings Act.	____	____	____
11.	Whenever possible at board meetings, staff members present brief background reports on matters of consequence in the school system.	____	____	____
D.	School-Community Relations			
1.	Board members are representatives of the entire community and not of special interest groups, and are committed to the welfare of the public schools.	____	____	____

		Excellent	Adequate	Improvement Needed
2.	The board has set policy stating its commitment to an informed and involved citizenry and has identified persons with authority and responsibility to carry out a program of school-community relations.	____	____	____
3.	The board has authorized the staff to establish channels of communication-for example, newsletters, reports, new releases, radio and television programs, audiovisual presentations and meetings-so that residents may learn about what the school system is doing and why.	____	____	____
4.	When appropriate, the board appoints citizens committees to study specific issues within a certain time and report recommendations or findings to the board.	____	____	____
5.	When possible, the board names citizens as resource people on its own committees.	____	____	____
6.	Vacancies on the board are filled by appointment after the board has solicited nominations from the community and has studied each nominee according to the criteria in D-1.	____	____	____
7.	The board holds public hearings on the annual budget, new construction plans, and other important issues between taking final action.	____	____	____
8.	Representatives of the board meet frequently with representatives of other local governing bodies to discuss matters of mutual concern.	____	____	____

	Excellent	Adequate	Improvement Needed
E. Planning			
1. The board has a 10-year long-range plan for construction, improvement of academic programs, advancement of staff, expansion of services, etc.	____	____	____
2. This plan is reviewed and updated each year.	____	____	____
3. In addition to the 10-year plan, the board adopts short-term goals each year, reviews progress 12 months later, and sets new short-term goals.	____	____	____
4. The board consults with service organizations and associations, the state department of education, governing bodies, and others when necessary.	____	____	____
5. The board requires the superintendent and staff to establish performance objectives, review progress, and set new goals annually.	____	____	____
F. Continued Development			
1. School directors attend regional, state, and national meetings of their school boards associations.			
2. The board makes a regular practice of discussing current legislative proposals and state regulations affecting the governance of public education.	____	____	____
3. The board regularly communicates with local officials and state legislators.	____	____	____

	Excellent	Adequate	Improvement Needed
4. School directors take part if various school board association training and leadership services, including legislative and public relations activities.	____	____	____
5. School directors advise board association headquarters about actions taken locally.	____	____	____

SAMPLE

INTRA-BOARD PERCEPTUAL INVENTORY

_____

BOARD MEMBER

Directions: Fill out one of the perceptual inventories for each Board member. Do not sign your name.

		Rating Scale (Check only one)				
		Always	Usually	Sometimes	Never	Don't know
1.	Dominates the meetings; talks too much.	____	____	____	____	____
2.	Positive and constructive in comments.	____	____	____	____	____
3.	Loses his/her temper.	____	____	____	____	____
4.	Is a loner, doesn't want to find consensus.	____	____	____	____	____
5.	Very unpredictable.	____	____	____	____	____
6.	Tries to please everybody.	____	____	____	____	____
7.	A good sense of humor.	____	____	____	____	____
8.	Nitpicks.	____	____	____	____	____
9.	Does his/her homework prior to Board meetings.	____	____	____	____	____
10.	Hangs back, is too timid.	____	____	____	____	____

		Rating Scale (Check only one)				
		Always	Usually	Sometimes	Never	Don't know
11.	Has too many "hidden agendas"	____	____	____	____	____
12.	Tries to manipulate people.	____	____	____	____	____
13.	A good listener, will understand.	____	____	____	____	____
14.	Dogmatic, not open to ideas of others.	____	____	____	____	____
15.	Not consistent, tendency to "buckle" under pressure.	____	____	____	____	____
16.	Too sensitive, gets upset too easily.	____	____	____	____	____
17.	Doesn't focus on the issue, gets bogged down in trivia.	____	____	____	____	____
18.	Not well organized.	____	____	____	____	____
19.	Respects the opinions of others.	____	____	____	____	____
20.	Thoughtful, provokes others to think seriously.	____	____	____	____	____

OVERALL EVALUATION OF BOARD MEMBER'S PERFORMANCE

Outstanding_____ Superior_____ Average _____ Below Average_____ Unsatisfactory

SAMPLE

A REPORT CARD TO USE TO EVALUATE YOUR SCHOOL BOARD AND ITS MEMBERS

Here is a report card that school board members can use to evaluate their achievement, or lack of it, as members of the board. This report card can be used to evaluate individual board members or the board as a whole. To evaluate the board as a whole (or for nonmembers to use the report card), just change the word "you" to "they" in each question.

Instructions: Write "A", "B", "C", "D" or "E" in the squares provided. An "A" means you have an excellent school board and the members should be returned to office; a "B" means you have a good board of education but there are specific achievement areas that need to be improved; a "C" means you have an "average" board of education and no one should settle for anything less than above average; a "D" means that the board is below average and is in need of immediate improvement; and an "E" means the board is a disaster and a new one should be elected or appointed as soon as possible.

To convert the alphabetical marks to numerical marks for grade point purposes, equate an "A" to 4.0, a "B" to 3.0, a "C" to 2.0, a "D" to 1.0, and an "E" to 0.0.

Follow the scoring procedure at the end of the questions.

Leadership	Grade Achievement	Effort
1. Do your taxpayers, staff and students know who you are?	____	____
2. Are you invited to speak to civic groups?	____	____
3. Are you asked to serve on regional, state and national committees?	____	____

Leadership	Grade Achievement	Effort
4. Do your area legislators invite your opinion on pending legislation?	____	____
5. Do your citizens vote "yes" on tax proposals when you recommend an increase?	____	____
6. When you conduct an attitude survey, do the respondents indicate satisfaction with you?	____	____
7. Are you re-elected beyond your first term (for first term members, do you think you'll be re-elected??		
Team member		
8. Do you openly express your differences of opinion to other board members and the superintendent?	____	____
9. If your point of view does not prevail, do you support the decision of the board and/or superintendent?	____	____
10. Do you, in advance of the meeting, ask that controversial topics be place on the agenda rather than springing them on other board members and the administration at the last moment?	____	____
11. Do you refer criticisms called to your attention by students, staff or community members to the superintendent for follow-up and reporting?	____	____
12. Do you advise the press and citizens who contact you that you have no legal basis for decision making other than in board meetings?	____	____
13. If a decision has been criticized and you were one of the decision makers, are you willing to take the heat and admit you made the decision?	____	____

Leadership	Grade Achievement	Effort
Efficiency		
15. Do you assist in keeping board meetings on the topics listed in the agenda?	____	____
16. Do you end the meetings in a reasonable amount of time so you can discuss matters with a clear head?	____	____
17. Do you request only information that is necessary to wise decision making?	____	____
18. Do you allow audience participation, but restrict it in order that the board is in control of its meetings?	____	____
19. Do you avoid calling a lot of special board meetings?	____	____
20. Do you deal with policy and allow the administration to operate the schools?	____	____
21. Do you avoid tying up your administration with a lot of personal information requests that are not necessary for decision-making purposes?	____	____
Sense of purpose		
22. Do you really vote on the basis of what is best for students?	____	____
23. Do you listen to residents, students and staff, but then decide what you think is in the best interest of the district?	____	____
24. Do you vote on the basis of what is best for all children, not just those in the area in which you live?	____	____

Leadership		Grade Achievement	Effort
25.	Do you vote on the basis of the total school system's interest?	____	____
26.	Do you balance the interests of staff and taxpayers when making decisions about expenditures?	____	____
27.	Do you continually attempt to improve your school system?	____	____
28.	Do you listen to others, but vote your conscience?	____	____
29.	Do you have an over-all instructional philosophy that is evident to the staff and community?	____	____
30.	Do you have an over-all fiscal philosophy that is evident to the staff and to your community?	____	____
31.	Do you promote long term planning?	____	____
32.	Do you make your management philosophy known to the superintendent, other board members, staff and the community?	____	____
33.	Is your method of dealing with "pressure groups" known?	____	____
34.	Does the staff and community realize how you weigh politics and logic in making decisions.	____	____
35.	Are you seen by staff and community members as a consistent, logical and fair decision maker?		

Leadership	Achievement	Effort
Evaluation		
36. Do you insist on open and clear evaluation procedures for the superintendent and the professional staff?	____	____
37. Do you insist on open and clear procedures for evaluating the board of education?	____	____
38. Do you insist on open and clear procedures for evaluating the instructional programs of the system?	____	____
39. Do you insist on open and clear procedures for evaluating the budgetary and business functions of your school system?	____	____
40. Do you insist on open and clear statements of areas that have been improved and areas in need of improvement?	____	____

Grade Point Average for the Year

Points for achievement _____

Points for effort _____

TOTAL POINTS = _____

Total Points ÷ 80 = Grade Point Average of _____

Final Recommendation for Next Year (check most appropriate box):

_____PROMOTE-has a bright future.

_____REPEAT-must provide assistance.

_____EXPEL-needs more help than can be provided.

CHAPTER 11

THE LEGAL FRAMEWORK OF STAFF EVALUATION

INTRODUCTION

The regulations (N.J.A.C. 6:3-1.21) do not address the subjects of this Chapter. However, N.J.S.B.A. and RBS, Inc. believe that the legal aspects of evaluation, particularly when dealing with tenured staff members, should be given close and careful attention. Whenever disciplinary action is comtemplated, the written evaluations become extremely important. Therefore, it is more prudent to carry out the evaluations in a way that recognizes the potentiality of litigation.

The chapter speaks to a number of important topics:

- The value of evaluations that are thorough, detailed, and specific.
- Nonrenewals of nontenured teaching staff.
- Withholding increments
- Tenure charges

In each of these instances, there are a number of sub-sections that spell-out the key points in each situation. In sum, the material included here in should be most valuable to Board members and Chief School Administrators as they seek to establish policies and procedures in this difficult area.

In closing, the NJSBA and RBS, Inc. are indebted to Christine Weger, Assistant Counsel, New Jersey School Boards Association for the preparation of this Chapter. Christine's assistance is truly appreciated; it helped to make this challenging undertaking much less difficult.

THE LEGAL FRAMEWORK AND STAFF EVALUATION

The evaluation of a school district's staff is conducted for two purposes, the first being to assist self-improvement by employees and the other being the need for a basis for sound personnel decisions. The legal aspects of evaluation necessarily focus on the latter purpose. Whenever any type of disciplinary action is being considered as to either a tenured or nontenured employee, the written evaluations of the employee assume great importance. Too frequently evaluations are not accorded much attention until an administrator or board perceives the need for some type of disciplinary action against a particular employee. It would be better to consistently carry out evaluations with an eye toward the possibility of litigation over a future board decision to take some disciplinary action based on those evaluations. Consider the following points:

-1- Examination of thorough evaluations is an essential part of any well-considered personnel decision;

-2- You do not want your personnel decisions to be arbitrary or ill-considered;

-3- If your decisions are arbitrary or based substantially on constitutionally or statutorily proscribed reasons, they will be overturned by the Commissioner or the courts;

-4- If your decisions are not arbitrary but a sound basis for them is not evident, they may still be overturned; and

-5- If your decisions are overturned, you not only will have wasted considerable time and money, but also may have generated ill will among staff.

The interests of the employer and the employee in the evaluation process are not really so different from one another. Whether evaluations are viewed as a means of being fair in notifying employees of perceived performance problems in an effort to assist improvement, or as a means of building a record for future litigation, the conclusion is the same: evaluations must be thorough, detailed, specific, and most importantly, they must be frank.

If evaluations are thorough and scrupulously accurate, personnel decisions based on such evaluations will be better from an administrative standpoint, and will be less likely to be overturned as the result of litigation. The Commissioner of Education has noted that less than frank evaluations do a disservice to both the district and employees:

> The Commissioner has observed that many problems have been created, with extensive litigation, as the result of evaluation programs conducted in an excessively charitable manner, whereby beginning teachers have not had the benefit of candid and complete constructive criticisms of their deficiencies and shortcomings. When evaluations fail to enlighten the beginning teacher regarding his/her deficiencies and provide no suggestions for improvement, the teacher is mistakenly led to believe that his/her services and performance are at least adequate. Subsequently, when reemployment is not offered, the teaching staff member is at a loss to understand the reasons.[1]

Thus, both the integrity and fairness of the disciplinary actions a board can take rely to a great extent upon evaluations pointing out both strengths and weaknesses with equal clarity.

There are various kinds of disciplinary actions a board can take and evaluations play a role in those actions.

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[1] Gorney v. Northfield Bd. of Ed., 1975 S. L. D. 669, 681; see also, Seija v. East Windsor Regional Bd. of Ed., 1975 S. L. D. 823, 828.

NONTENURED TEACHING STAFF

All nontenured teaching staff members must be observed and evaluated in the performance of their duties at least three times during each school year but not less than once during each semester. These evaluations must take place before April 30 of each year.[2]

The rules of the State Board state that this required "observation" means a visitation to the classroom to observe performance of the instructional process.[3] However, it is clear that the thrice-yearly observation and evaluation requirement applies to all teaching staff members including administrators, nurses, counselors and any other staff member holding a position requiring a certificate. For obvious reasons, the requirement of an observation must be a flexible one which is more adaptable to these non classroom settings. Evaluation policies and methods thus have to be tailored to different types of positions and on-site observations conducted in a manner which will assist the evaluator to identify problems and assist in improvement.

The supervisor conducting the evaluation must prepare a written evaluation report and conduct a conference with the teaching staff member within fifteen days after each of the three observations. Both parties must sign the evaluation report, thereby acknowledging receipt of the report and the fact that a conference was held. Within ten days after the conference, the teaching staff member has the right to submit his or her own disclaimer in writing. The disclaimer must then be attached to the evaluation report. Evaluation reports form the basis for recommendations to the board and for the board's decision on contract renewal. By April 30 of each year, the board must notify each nontenured teaching staff member whether employment will be offered for the coming year.[4]

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[2] N.J.S.A. 18A:27-3.1.

[3] N.J.A.C. 6:3-1.19.

[4] N.J.S.A. 18A:27-10.

The Statement of Reasons

When any nontenured teaching staff member receives a notice that a contract will not be offered by the board for a succeeding school year, the board must provide the employee with a written statement of reasons for nonreemployment upon the written request of the employee.[5]

In setting out this requirement, the New Jersey Supreme Court commented on the purposes behind such a statement of reasons:

> If he is not reengaged and tenure is thus precluded he is surely interested in knowing why and every human consideration along with all thoughts of elemental fairness and justice suggest that, when he asks, he be told why. Perhaps the statement of reasons will disclose correctible deficiencies and be of service in guiding his future conduct; perhaps it will disclose that the nonretention was due to factors unrelated to his professional or classroom performance and its availability may aid him in obtaining future teaching employment; perhaps it will serve other purposes fairly helpful to him [citation omitted]; and perhaps the very requirement that reasons be stated would (citation omitted] serve as a significant discipline on the board itself against arbitrary or abusive exercise of its broad discretionary powers.[6]

Because the statement of reasons is primarily based on past evaluations, the content of those evaluations must provide enough information to permit the preparation of a statement of reasons.

Evaluations and the Statement of Reasons

How extensive and detailed must the statement of reasons be? Two recent court decisions have addressed this question. In one, a board of education gave a statement of reasons that simply stated that the board found it necessary to effect a reduction in force due to declining enrollment. Upon the teacher's request, the board provided a more detailed response:

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[5] N.J.S.A. 18A:27-3.2; Donaldson v. North Wildwood Bd. of Ed., 65 N.J. 236 (1974); N.J.A.C. 6:3-1.20.

[6] Donaldson, supra at 245.

> When the reduction in force for that year was contemplated, the total effect thereof upon the educational program of the several schools in the district was considered and it was determined that teachers with certain strengths, skills, experiences and background would be able to make the greatest contribution to said educational program and thereby to the education of the children in our schools.
>
> Careful deliberation led to the conclusion that teachers other than yourself best met the above criteria, and, therefore, you were selected as one who would not be offered a teaching contract for the 1976-1977 school year.

The court decided that the latter statement was inadequate in that it failed to delineate the boards reasons for nonrenewal. The court stated:

> We are of the view that the philosophy of Donaldson mandates that each of the individual plaintiffs be informed what strengths or skills were considered by the board in determining who of the non-tenured teachers should be renewed and with respect to such strengths and skills, why plaintiffs were not able to make a contribution to the educational program equal to that of the teachers who were renewed. Likewise, each plaintiff should be told specific factor or factors in his or her experience and background which militated against his or her retention.

Prior to this decision, boards were permitted to supply short and even conclusory reasons for nonrenewal. The Hazlet decision suggests that boards will need very detailed evaluation reports in order to formulate sufficiently specific reasons for nonrenewals.

In another recent case of interest, a regional board decided to nonrenew several teachers and gave the following response to the teachers' request for a statement of reasons:

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[7] Hazlet Twp. Teachers Assn. v. Hazlet Twp. Bd. of Ed., 1978 S. L. D. ____, (App. Div., Docket No. A-1583-76, Feb. 6, 1978).

> The Board of Education did not renew your contract because the majority of the members of the Board felt that they could get a better teacher.

This statement was held to be adequate by the court even though it is subjective, conclusory and does not appear to meet the standards set out in the case involving the Hazlet Township Board.[8]

Thus, there is some question at the present time as to the degree of specificity required in a statement of reasons. However, boards are well advised at this juncture to pursue a conservative course of action and give a detailed statement in compliance with the standards set out in the Hazlet case. Any administrative burden in formulating such a statement would seem to be clearly outweighed by the desire to avoid litigation.

Protection for the Nonrenewal Decision

A nonrenewed employee may also file a petition with the Commissioner alleging that the board's decision was arbitrary and capricious or was in reprisal for the exercise of free speech, for union activity or for any other constitutionally or statutorily protected activity.

When a nonrenewal is challenged on any of these grounds, the burden is on the employee to prove that the reasons given by the board were untrue or that the decision was arbitrary or a reprisal. The nonrenewal decision of a board is a discretionary action that is presumed to be valid.

Similarly, claims of reprisal for protected activities are frequently unsuccessful due to a failure to present and prove specific allegations that a nonrenewal decision was based on improper motives. However, it a nonrenewed employee is able to show specific facts which point to such improper motives, the board must then be able to show that its reasons were proper. Even if the employee has proven that one reason for the nonrenewal was improper, the board's action will still be upheld if it can show that it had other valid reasons which, standing alone, warranted its decision.[9]

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[8] McCormack v. Northern Highlands Reg. Bd. of Ed., 1976 S. L. D. (August 20, 1976), aff'd o. b. State Bd. 1977 S. L. D. ___ (Jan. 5, 1977), aff'd o. b. 1928 S. L. D. ___ (App. Div., Docket No. A-2022-76, Apr. 7, 1978), petition for certif. pending Aug., 1978

[9] Mt. Healthy City Sch. Dist. v. Doyle, 429 U.S. 274 (1977), where a constitutional violation is claimed. PERC has apparently adopted a different test where there is a claim of reprisal for union activities. See In the Matter of Haddonfield Borough Bd. of Ed., PERC No. 77-36, 3 NJPER 71 (1977).

Thus, while a board is afforded a great deal of discretion in its non-renewal decision, it may be called upon to make an affirmative showing that its reasons for nonrenewal were valid. In such a situation, the availability of thorough and explicit evaluations documenting the type of misconduct or inefficiency, its ramifications for students, other staff and the district as a whole, can be invaluable.

WITHHOLDING INCREMENTS

When a board of education decides to withhold the increment of a tenured employee, many of the same considerations come into play.

Prior to the board's action, the teaching staff member must be given notice of the reasons for the proposed action and an opportunity to be heard.[10] The board may then vote to withhold the increment for inefficiency or other good cause. Within ten days of its decision, the board must give written notice of its action and its reasons to the teaching staff member concerned.[11] Any further appeal is before the Commissioner of Education. Both the "before" and "after" notices at the board level will, in most instances, be framed in terms of information and statements either contained in prior evaluations or based upon problems reported in writing and placed in the personnel record. Charges of unsatisfactory performance included for the first time in these notices will be highly suspect if there was a previous opportunity to note them in the personnel record. Even if the increment is withheld on the basis of misconduct occurring during a particular academic year, the Commissioner may still reverse the board's decision if the misconduct is viewed as minor in comparison to a long prior history of superior evaluations.[12]

By comparison, if explicit evaluations or reports contain precise deficiencies which are then utilized as the foundation to withhold an increment the board's decision is very difficult to overturn.[13]

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[10] Fitzpatrick v. Montvale Borough Bd. of Ed., 1969 S. L. D. 4.

[11] N. J. S. A. 18A:29-14.

[12] DeOld v. Verona Borough Bd. of Ed., 1978 S. L. D. ___ (April 5, 1978), reversing 1977 S. L. D. ___ (October 5, 1977).

[13] See e.g., Dullea v. Northvale Borough Bd. of Ed., 1978 S. L. D. ___ (June 27, 1978).

This is especially true because, as with nonrenewals, the burden of showing that an increment should not have been withheld is on the employee. The board does not have to prove the validity of its reasons to the Commissioner in an increment case. The burden is upon the employee to convince the Commissioner that the board acted arbitrarily or for constitutionally or statutorily proscribed reasons.

Because of the burden of proof and the procedure's relative simplicity, and because of the high likelihood of success (over the years the Commissioner has only rarely overturned increment decisions), boards frequently choose this disciplinary measure for tenured teaching staff who demonstrate clear performance problems.

However, two factors warrant caution against becoming overly confident in withholding increments. First, in two recent decisions, increment decisions of boards were overturned due to lack of prior written evaluations indicating unsatisfactory performance.[14] This occurred despite the fact that many tenured staff are at evaluated infrequently or not at all. Secondly, now that all tenured teaching staff will be evaluated under the recently adopted rules of the State Board,[15] the content and detail of evaluations will assume even greater importance in increment cases.

TENURE CHARGES

The Burden of Proof

Evaluations are at least of equal if not greater importance to the question of whether tenure charges can be brought successfully against a tenured employee. Under the tenure laws, any employee who has acquired tenure can be dismissed or reduced in salary only by the Commissioner of Education based on proven charges of inefficiency,

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[14] DeOld, supra; Fanella v. Washington Twp. Bd. of Ed., 1977 S. L. D. ___ (April 11, 1977).

[15] N. J. A. C. 6:3-1.21.

incapacity, unbecoming conduct or other just cause. Regardless of the category into which a tenure charge falls, the majority of all charges must be based on written evaluations if the board is to successfully prosecute charges before the Commissioner.

This was true long before the State Board of Education passed rules requiring the annual evaluation of tenured teaching staff, and will assume greater importance now that these rules have been adopted. One of the reasons that evaluations assume such importance in tenure charge cases is that the burden of proving to the Commissioner that the charges are true falls upon the board of education.

Evaluations are Proof

A look at some actual case examples illustrates this point. The Commissioner considered two cases in which boards had certified charges based on the poor performance of a teaching staff member.[16] In both instances, the boards had determined that the teaching staff members were performing poorly despite attempts by their supervisors to assist them in improving. In both cases the employees were charged with the continued use of improper and inefficient management procedures, failing to ascertain and meet educational needs of students, and similar charges. The Commissioner dismissed one of these employees and reinstated the other. Why? Because the subject addressed here is evaluations, you might anticipate that the one board failed because it did not substantiate the charges with proof of negative evaluations. This is only partly true. Both boards presented written evaluations which had been conducted over several years and which pointed to the same failures which ultimately were included in the tenure charges. The evaluations used by the unsuccessful board, however, were predominantly complimentary of the employee's performance and the deficiencies were stated in only a general, nonspecific manner. One of the evaluations characterized the employee as conscientious, cooperative and knowledgeable and stated further that:

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[16] In re Tenure Hearing of Secula, 1977 S. L. D. ___ (September 2, 1977); In re Tenure Hearing of Rhen, 1976 S. L. D. ___ (June 29, 1976).

> ...He is able to meet frustrations and stress without becoming hostile to teachers, pupils, or other personnel. Although this is an exemplary personal attribute, it contributes much to the difficulties [he] encounters in managing Gould School. [He has consistently recommended] organizational structure that makes maximum use of the talents and strengths of all of his personnel, in spite of the fact that several recent assignments have resulted in most disappointing consequences.

What difficulties did he encounter in managing the school? What assignments were made and what were the disappointing consequences? Because of the vagueness of these evaluation statements, the board was thus left to prove the substance of its charges to the Commissioner by relying primarily on the testimony of the superintendent. The superintendent in his testimony could not be entirely critical of the employee since the evaluations already had made clear that the employee had many strengths. The employee then presented the testimony of seven full-time teachers from the school on his behalf. The hearing examiner concluded that the board had failed to prove its charges noting that the forthright corroborative testimony of the seven teachers outweighed the inconclusive testimony of the superintendent and the limited written evidence submitted by the board.

By contrast, the successful board was able to offer the Commissioner no less than sixteen detailed written evaluations by four different supervisors, and each of these evaluations specified particular deficiencies in the employee's performance, e.g. failure to understand and explain math concepts adequately to students and failure to submit and follow written lesson plans.

Labeling Charges

These cases illustrate again the importance of frank evaluations and of building a detailed written record of performance problems as they occur. Written documentation is particularly important where the charges are labeled as inefficiency because it is generally necessary to show a series of well-documented incidents which are indicative of an unacceptable behavior pattern.

The Commissioner has made clear that a single isolated incident of misconduct, if sufficiently flagrant, can be enough to warrant the assessment of a penalty, either dismissal or a reduction in salary.[17] And, even if a single incident is the basis of a charge, the Commissioner will frequently examine the employee's length of service and prior record in the district in deciding what penalty to assess.

The procedures which a board must follow in certifying tenure charges are different if a charge is labeled "inefficiency" rather than incapacity, unbecoming conduct or other just cause. Because the requirements differ, the question often arises as to how charges should be designated.

Unbecoming conduct is a label applied to a wide variety of unacceptable behavior. This label is most frequently used to designate single incidents of egregious misconduct, such as conviction of a serious criminal offense. Evaluations may be important even where such single incidents of unbecoming conduct are charged in that, as noted previously, the Commissioner may examine the employee's prior record to determine whether the single incident warrants dismissal or only a reduction in salary.

What types of unsatisfactory behavior should be designated as "inefficiency"? The State Department of Education has issued guidelines on tenure procedures that state:

> ...Inefficiency presumes that the teaching staff member is capable and competent to perform the specific duty or function, but is performing that duty or function in a careless, ineffective or inefficient manner. Inefficiency is particularly distinguished from incompetence [incapacity] because incompetence presumes that the teaching staff member is not capable of performing a specific duty or function.

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[17] In re Tenure Hearing of Gavlik, 1977 S. L. D. ___ (May 6, 1977).

Thus, once general performance is determined to be inadequate to the extent that tenure charges are being considered, the decision must still be made as to whether the employee is capable of performing satisfactorily. Even if the employee has been given every possible opportunity and type of assistance to improve and has failed to demonstrate any progress, the charges should still be labeled as inefficiency (and the extra procedures followed) rather than incapacity. This is true even though one might think that any basically capable person would have improved with the extra help provided. In fact, the Commissioner in any case of inefficiency charges, will require the board to show exactly the above stated pattern of assistance plus failure to improve.

By contrast, most tenure cases which have successfully charged incapacity have dealt with inherent physical or mental problems which no amount of supervisory assistance could ever hope to alleviate. When poor performance appears to stem from such problems so that an employee is rendered unfit to do his/her job, the charges should be labeled as "incapacity."[18]

Specify Inefficiencies

One final note on the relationship between tenured staff evaluation and the certification of charges. Where charges are designated as "inefficiency" the employee must be given a grace period of 90 days (the period may be longer if the employee is so notified) in which to correct the inefficiencies.[19] Because of this, the charges presented to the employee prior to the grace period must specify the particular inefficiencies and the kind of correction which is expected by the board.

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[18] Where it is determined that an employee may be truly incapacitated, the board may not wish to handle the problem by disciplinary measures. In such a case the board has the alternative of applying to the Teachers' Pension and Annuity Fund for disability retirement on behalf of the employee. Disability retirement is an available approach for any TPAF member who is under 60 years of age, who has ten or more years of TPAF credit and who is certified by a board appointed physician as physically or mentally incapacitated for the performance of duty. N.J.S.A. 18A: 66-39(b).

[19] N.J.S.A. 18A:6-11.

They should be sufficiently detailed to enable the employee to understand exactly in what manner performance is found inadequate, and to assist the employee in overcoming the deficiencies.[20] For example, charges should not state simply that classroom teaching methods are ineffective but should, instead, detail that the teacher is not following lesson plans, not keeping the class under control, etc.

Because supervisory staff are also required to make reasonable efforts to assist the employee to improve during the 90 day period, it seems clear that the board is required to demonstrate to the Commissioner that the employee has been given every possible chance and has continued to perform unsatisfactorily.

Conclusion

Boards and administrators would be well advised to seriously commit themselves to the development and conduct of sound evaluation procedures. Aside from being good management, the certification of tenure charges and prosecution through to final determination by the Commissioner involves an already enormous expenditure of time and money (an average of 23 months and approximately $25,000). The additional time is well spent at the district level in providing and thoroughly documenting every reasonable opportunity and form of assistance for improvement that is given to the deficient performer. Establishing and following a procedure for critically evaluating and monitoring the performance of tenured staff may hopefully, to the relief of all, result in improved performance. Where it does not, the board will be adequately prepared to pursue and substantiate its charges to the Commissioner.

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[20] Secula, supra; In re Tenure Hearing of Martz, 1976 S. L. D. ___(September 1, 1976), aff'd State Board 1976 S. L. D. ___(December 1, 1976).

CHAPTER 12

NEGOTIATIONS AND STAFF EVALUATION

INTRODUCTION

In closing this Handbook, it was deemed most timely, and most necessary, to include a Chapter on Negotiations and Staff Evaluation. The Chapter presents a clear and conside analysis of what is negotiable within the framework of NJAC 6:3-1.21. Using the parameters set forth in the Ridgefield Park and the State of New Jersey decisions by the Supreme Court, the Chapter examines the procedural and policy requirements set forth in Section (c) of NJAC 6:3-1.21 relative to their negotiability. Other sections of the regulations are considered; with special treatment accorded the use of the words "In Consultation with Tenured Teaching staff members." In summary, the chapter provides a much needed analysis of a critical topic.

In closing, the NJSB and RBS, Inc. are indebted to Cathleen Otto, Assistant Director, Labor Relations, NJSBA, for the preparation of this chapter. Cathy's assistance is truly appreciated; it helped to make this challenging undertaking much less difficult.

NEGOTIATIONS AND STAFF EVALUATION

Introduction

The process of collective bargaining is an attempt to balance the needs of employees for fair treatment and equitable wages with the need of employers to efficiently and effectively maintain their operation. Collective bargaining statutes were enacted to remedy an apparent imbalance of power that existed, so that employers could not modify wages and other terms and conditions of employment without negotiations with the representative of their employees. Put another way, laws which have been passed authorizing collective bargaining are intended to grant and protect the rights of employees, not employers. This is true not only in private sector collective bargaining, but also in New Jersey's public sector collective negotiations.

Background

New Jersey's public sector negotiations law (C. 303) was enacted in 1968. For the first time, public employees were authorized by statute to form, join and assist an employee organization, or to refrain from doing so. Public employers, on the other hand, were required to meet with the majority representative of their employees to negotiate in good faith over grievances and terms and conditions of employment.

"Terms and conditions of employment" was interpreted by the New Jersey Supreme Court in a series of 1973 decisions now known as the Dunellen Trilogy.[1] In Dunellen, the Court found that two categories of topics for negotiations existed: required and illegal. Required topics were terms and conditions of employment which intimately and directly affect the work and welfare of public employees and on which a negotiated agreement would not significantly interfere with the exercise of inherent management prerogatives pertaining to the deter-

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[1] Dunellen Bd. of Ed. v. Dunellen Ed. Assn. 64 N.J. 17, (1973)
Burlington County College Fac. Assn. v. Bd. of Trustees 64 N.J. 10 (1973).
Englewood Bd. of Ed. v. Englewood Teachers Assoc. 64 N.J. 1 (1973)

mination of governmental policy. Illegal topics were governmental policy areas and issues on which the public employer had no authority to agree.

In August, 1978, the New Jersey Supreme Court interpreted the C. 123 amendments to the bargaining law and found that the scope of negotiable issues had been broadened.[2] The legislature did not intend to create a permissive category of negotiations, the Court said, and therefore any contract clause concerning matters of educational policy are ultra vires and unenforceable.[3]

Boards of education and other public employers are still required to negotiate over terms and conditions of employment with the majority representative of their employees. Matters of educational policy are not negotiable, nor are issues that may normally be terms and conditions but on which a negotiated agreement would preclude a board from carrying out educational policy. (See Dunellen, earlier).

The Issue

New Jersey's school boards are charged with the responsibility of providing all students with a thorough and efficient system of public education. In order to accomplish this goal, it is necessary for local boards to have competent and qualified teaching staff members. In earlier chapters, this book described the need for a valid performance evaluation system and suggested methods for the development of job descriptions and evaluating personnel. But because local boards of education have an obligation to bargain over terms and conditions of employment, the process of performance evaluation cannot be viewed in a vacuum. Local boards must be aware of what aspects of evaluation have been and are still negotiable, as well as those areas that cannot be negotiated. Once this is ascertained, local boards can accommodate their need for competent employees and their obligation to negotiate in good faith concerning terms and conditions of employment.

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[2] Ridgefield Park Ed. Assn. v. Ridgefield Park Bd. of Ed. ___N.J.___ (1978).

[3] For a more detailed analysis of the impact of Ridgefield Park, see articles in NJSBA's Negotiations '79.

PERC's Perspective

New Jersey's Public Employment Relations Commission (PERC) has generally distinguished between evaluation procedures and evaluation criteria. Evaluation procedures have been considered by PERC to be mandatorily negotiable, while evaluation criteria were recognized to be major educational policy issues and, therefore, non-mandatory subjects.[4] On a case-by-case basis, PERC has indicated what it considered to be procedural aspects of evaluation and what it considered to be criteria.

PERC has held the following provisions on teacher evaluation to be procedural, and, therefore, required subjects for bargaining:

- Number of evaluation reports per year
- Discussion of the reports by the supervisor with the teacher
- Inclusion in the report itself of a teacher's remarks disagreeing with the report.
- Reports of progress made by the teacher to improve performance
- The identification of the evaluator.
- A conference procedure following observation and evaluation
- A written narrative on special forms
- The right of an evaluated teacher to file a written disclaimer stating that mere reading of the evaluation would not constitute acceptance of its contents

PERC has also identified what it considered to be evaluation criteria and, therefore, not required subjects. These include:

- Observation and analysis of classroom performance
- Analysis of instructional skills (i.e. planning and organization, appropriateness of materials, resourcefulness and adaptability); management ability (i.e. relationships with pupils, discipline, personnel efficiency); professional responsibility (i.e. commitment, staff relations, ethics); and, personal qualities (i.e. appearance and manner, speech, attitude).

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[4] PERC considered there generally to be "permissively" negotiable subjects but under Ridgefield Park, PERC will probably hold these topics to be illegal subjects

- The development of mutual objectives between the teacher and the supervisor.

Given the August, 1978 Ridgefield Park decision of the Supreme Court it can be assumed that all matters relating to criteria for evaluation are illegal subjects for negotiations[5]; that is, the bargaining parties may neither negotiate nor reach agreement on them and that any such agreement is invalid and unenforceable.

In a pre- C. 123 case,[6] PERC found that while the factual accuracy of a board's application of an evaluation criterion was not an educational policy decision and therefore arbitrable, subjective judgements by evaluators were prodominantly educational issues and not reviewable by an arbitrator. For example, an arbitrator could review if a teacher were, in fact, late for class six times -- this is factual accuracy. But the subjective judgement that a teacher was not "willing to extend himself professionally" is an educational policy issue and not reviewable.

Yet it is not clear, since Ridgefield Park, what portions of the procedural aspects of evaluation are still mandatorily negotiable. Assuming, for the purpose of discussion, that the evaluation procedures discussed earlier are terms and conditions of employment which intimately and directly affect the work and welfare of teaching staff, would agreement on such procedures significantly interfere with the exercise of inherent management prerogatives pertaining to the determination of governmental policy? This is the test laid out in Dunellen and reaffirmed in Ridgefield Park. It is possible that certain evaluation procedures, such as notice and permission before observations, numbers of observations, etc. could effectively constrain a board in implementing an educational policy for evaluation, thereby rendering those procedures non-negotiable. To date, no cases have been decided giving us guidance on the issue.

The non-negotiability of certain evaluation procedures is made even more possible when one examines the facts of the Ridgefield Park decision. In that case, the Ridgefield Park board and the education association had entered into a contract which contained the following clause on voluntary transfer.

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[5] An Appellate Division decision also finds evaluation criteria illegal topics for negotiations, see Teaneck Bd. of Ed. and Teaneck Teachers Assoc. 161 N.J. Super 75 (A.D. 1978)

[6] New Milford Bd. of Ed. and New Mildord Ed. Assoc. 2 NJPER 353(1976).

Article XIV - Voluntary and Involuntary Transfers and Reassignments

A. Employees who desire a change in grade and/or subject assignment or who desire to transfer to another building may file a written statement(s) of such desire with the superintendent. Such statement(s) shall include the grade and/or subject to which the employee desires to be assigned and the school or schools to which he desires to be transferred, in order of preference. As soon as practicable, and in no case later than June 1, the Superintendent shall post in each school and deliver to the Association a system-wide schedule showing the names of all employees who have been reassigned or transferred and the nature of such reassignment or transfer.

B. In the determination of requests for voluntary reassignments and/or transfers, the wishes of the individual employee shall be honored, upon the recommendation of the superintendent and approval of the Board, to the extent that the transfer or reassignment does not conflict with the instructional requirements and best interests of the school system.

C. Notice of an involuntary transfer or reassignment shall be given to the employee as far in advance as practicable. In the case of teachers, except in an emergency situation, notice shall be given no later than April 30.

It should be noted that several portions of this clause would normally be considered procedural: written request for transfer, notice of involuntary transfer, posting of transfer assignments, etc. In analyzing the contract clause in Ridgefield Park, the Supreme Court said that while transfers did affect teacher's welfare, this effect was "insignificant in comparison to its relationship to the Board's managerial duty to deploy personnel in the manner which it considers most likely to provide the overall goal of providing all students with a thorough and efficient education." The Court went on to say, "[t]hus, we find that the issue of teacher transfer is one on which negotiated agreement would significantly interfere with a public employer's discharge of inherent management responsibilities. Accordingly, it is not a matter which collective negotiation is mandatory."[7]

[7]See Ridgefield Park, supra

Construing Ridgefield Park narrowly, one can conclude that evaluation criteria are now non-negotiable. Certain procedures that effectively prohibit a board from fulfilling an educational policy to evaluate could also be found, by the courts, to be non-negotiable. And interpreting Ridgefield Park very liberally, it could be inferred that no aspect of evaluation is negotiable. It is highly unlikely that PERC will interpret Ridgefield Park so broadly. Indeed, further direction on the non-negotiability of certain procedures that hinder the implementation of board policies will probably be received after much litigation.

Tenured Teaching Staff Evaluation Rules

A Supreme Court case decided on the same day as Ridgefield Park addressed the scope of required negotiations in the context of administrative regulations and statutes affecting terms and conditions of employment. This case, involving the State of New Jersey, is central to an analysis of the negotiability or non-negotiability of various aspects of tenured teacher evaluations.

In the State of New Jersey case,[8] the Supreme Court looked at the relationship between statutes and regulations which set terms and conditions of employment and the employer's authority and duty to negotiate. The Court ruled that specific statutes and regulations of administrative agencies that set minimums, maximums and absolute levels of terms and conditions of employment cannot be abrogated by the terms of any collective bargaining agreement. The Court defined the word "set" as referring to statutory or regulatory provisions which speak in the imperative and leave nothing to the discretion of the public employer. If the statute or regulation does not speak in the imperative but rather permits a public employer to exercise discretion over a term and condition of employment, that amount of the term and condition governed by the employer's discretion is negotiable. Furthermore, general grants of authority do not prohibit negotiations where the matter involved is a term and condition of employment.

The regulations requiring local boards of education to adopt policies and procedures concerning the evaluation of tenured teaching staff members must be read using not only the parameters outlined in

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[8] State of New Jersey v. State Supervisory Employees Assoc., State of New Jersey v. Local 195 IFPTE and Local 518 SEIU ___N.J.___ (1978)

Ridgefield Park, but also the State of New Jersey case. The State Board of Education's rules require that "policies and procedures shall be developed under the direction of the district's chief school administrator in consultation with tenured teaching staff members and shall include but not be limited to" several items (emphasis added). In other words, the State Board has set minimum requirements for what a local district's evaluation policies (non-negotiable) and procedures (may or may not be negotiable) must contain.

Following the rationale set forth in the State of New Jersey case, it could be interpreted that negotiations could occur above the minimum procedural requirements as long as a negotiated agreement on the additional procedures would not significantly interfere with the board's policies (Ridgefield's test).

Looking at the procedural and policy requirements set forth in Section (c) of the tenured staff evaluation regulations, one can see that some would be ruled by PERC to be procedural and mandatorily negotiable, while others are basically criteria or involve educational policy. Those requirements that set minimums that relate primarily to procedures and other terms and conditions of employment could properly be expanded upon through negotiations as long as the requirements of Ridgefield Park were fulfilled. Matters addressed in the rules which speak to criteria and educational policy issues, however, can never be subject to negotiations.

1. Roles and responsibilities for impelementation of the policies and procedures: This goes to the local board's responsibility to develop policyand is non-negotiable.

2. Development of job descriptions and evaluation criteria based upon local goals, program objectives and instructional priorities: The development of a job description which sets forth the job requirements and responsibilities is essential to fulfillment of a district's T&E goals and therefore any demand to negotiate concerning job descriptions, criteria and priorities are non-negotiable.

3. Methods of data collection and reporting appropriate to the job description including, but not limited to, observation of classroom instruction: This component affects both the employee and the district's effective use of evaluation.

Boards are required by this statement to use the process of classroom observation to collect information. Other sources of information such as student questionnaires or parent conferences could also be used. Overall, these relate to policy determinations and should not be negotiated.

4. Observation conference(s) between the supervisor and the teaching staff member: Additional observations beyond one would normally be considered procedural. However, agreeing to a set number could effectively prohibit the board from obtaining the information necessary to make educational policy decisions.

5. Provision for the use of additional appropriately certified personnel where it is deemed appropriate: This allows the board discretion to provide for the use of specialists or outside professionals to conduct evaluations. Although PERC has ruled prior to Ridgefield Park that the identity of the evaluator was mandatorily negotiable, this is questionable if agreement on the issue constrains the board's ability to evaluate effectively.

6. Preparation of individual professional improvement plans: The format of the plans would be a policy matter. Timing could be procedural.

7. Preparation of an annual written performance report by the supervisor and an annual summary conference between the supervisor and the teaching staff member: Same rationale as discussed in No. 4, above.

Section (d) of the regulations require that tenured teaching staff members receive a copy of the board's policies on evaluation no later than October 1, and that amendments be received within 10 working days after adoption. Earlier times could probably be negotiated.

The rules require that a summary conference be conducted between the supervisor and the teacher. Section (e) requires that the conference include several components. Additional components to the ones required could most likely be negotiated.

Section (f) requires that the supervisor prepare a performance report and requires that the staff member have the right to append different types of information to the report and the right to rebut the supervisor's comments. The addition of other kinds of information could probably be negotiated.

An analysis of the tenured teaching staff evaluation rules cannot be completed without discussing one crucial aspect of the terminology of the State Board's mandate to local boards of education. While it is possible to interpret that at least some of the discretionary portions of the regulations would not be negotiable under Ridgefield Park; the use of the words "in consultation with" in section (c) of the regulations could preclude negotiations altogether. That section states:

> "(c) The policies and procedures shall be developed under the direction of the district's chief school administrator in consultation with tenured teaching staff members and shall include but not be limited to: (emphasis added)."

The question which must be discussed is what does "in consultation with" mean? Does it mean that negotiations are required over the discretionary aspects of the rules that affect terms and conditions as long as the teachers are consulted too? Could negotiations with the majority representative of the teachers satisfy the requirements of consultation? Or, are negotiations totally prohibited?

Some direction can be found by looking at a clarification of "in consultation with" that was provided by the Commissioner of Education in discussing "T&E" goals and objectives. In that discussion, the Commissioner said:[9]

> The exact manner in which "consultation with teaching staff members is to be implemented in a school district is to be determined by each local school board. As you know, the thrust of the Act and regulations issued thereunder is to preserve and strengthen local autonomy. Consistent with that intent and purpose, we avoided delineating or prescribing the ways in which consultation may be accomplished.

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[9] Letter from Commissioner of Education Fred G. Burke to Dr. Mark Hurwitz, Executive Director of the NJSBA, dated Sept. 28, 1976.

> It is my view that the individual access to the educational planning process should be achieved whenever practicable and the consultation process should be structured in a manner that will accomplish that end. However, involvement of organizational representatives is not prohibited or precluded. If an individual is the duly elected representative of an organization or appointed by an organization to be its representative for consultative purposes, he or she may certainly serve in that role. In some districts, particularly large ones, working with representatives of teachers, principals, assistant principals, vice principals, etc. to develop the educational plan may be the most practical way to implement consultation. It is unlikely, however, that any one person could be respresentative of all teaching staff members. Also, the process must be left open to those individuals who feel that representation is not a sufficient way to be involved. Additionally the decision maker must determine the weight that will be given to each person who provides information. In sum, each district must decide individually how it will structure the consultation process, and how input that is received should be evaluated. The parameters will certainly vary from district to district.

While these comments were made with specific reference to the "T&E" goal-setting process, they appear applicable to tenured teacher evaluation because of the intentional use of the identical key phrase "in consultation with." Therefore, it may be that negotiations are precluded over any aspect of the tenured teacher evaluation process. No litigation has occurred over this issue as of yet, nor have any advisory opinions been issued by the Commissioner.

Practical Effect

One can certainly expect that teachers associations will demand negotiations over, at the least, the discretionary aspects of tenured teaching staff evaluation procedures and, at the most, all aspects of the tenured teaching staff rules and the portions of the statute which cover non-tenured teaching staff. However, the Supreme Court's holding in Ridgefield Park and the State of New Jersey are still too new to provide clear cut answers on what will be mandatorily negotiable in what circumstances. Certainly one reading of these cases could indicate

that no aspect of the evaluation process -- including procedures -- is mandatorily negotiable. A more conservative view would find that while boards can legally negotiate over some procedural aspects of evaluation, extreme caution and foresight should be employed.

Boards must comply with all statutes and regulations which set procedures and policy for evaluation. The State Board's rules establish specific minimums for the content of the annual written performance report:

1. Performance areas of strength;
2. Performance areas needing improvement based upon the job description;
3. An individual professional improvement plan developed by the supervisor and the teaching staff member;
4. A summary of available indicators of pupil progress and growth, and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual teaching staff member;
5. Provision for performance data which has not been included in the report prepared by the supervisor to be entered into record by the evaluatee within 10 working days after the signing of the report.

Could the union demand to limit which areas of strength were to be included? Probably not, since these would be considered criteria and non-negotiable. The right to know where a teacher needs improvement is essential for continued job security so that demands for this would normally be considered mandatory, as would the number of observations, notice, conferences, etc. By reference, all terms and conditions set by statutes or regulations are now part of your collective agreement,[10] and are therefore grievable. But boards should be very wary to agree to evaluation procedures that could, in some circumstances, constrain their ability to make an important policy decision in the area of evaluations.

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[10]See Twp. of W. Windsor v. PERC and P.B.A. local 130, ___N.J.___ (1978)

It is obvious that agreeing to some procedures could prevent a board from making proper decisions in the areas of retention and discipline. Agreeing to a maximum of one observation and evaluation per year for a tenured teacher could seriously limit a board's ability to properly assess that teacher's performance. For example: perhaps an observation of a tenured teacher mid-year indicates a fair evaluation overall but a serious problem with classroom control and discipline. If the board could agree and has agreed contractually to only one observation per year, how can a competent decision be made concerning improvement of performance and the withholding of an increment? This could be even more crucial in the area of non-tenured teaching staff. What about the board that agrees to only three evaluations per year? What would that board do if a non-tenured principal showed one poor, one good, and one fair evaluation? Would it have enough information before it to make a sound educational decision?

Other procedural aspects of evaluation, if negotiable under Ridgefield Park and the State of New Jersey case, could also hinder a board's decision making ability in the evaluation process. Suppose through negotiations a board limited the evaluator to two principals, the only certified supervisors in its K-8 district. Do those supervisors have the necessary expertise to evaluate a learning disabilities specialist to ascertain strengths and weaknesses, plans for improvement, etc.? By agreeing to a provision which limits a board's flexibility to determine "who" should evaluate, the quality of the district's educational program could suffer.

Conclusion

The evaluation process must be viewed from two perspectives: the employee's and the employer's. An employee must know what is expected (job description, goals, criteria) before he or she can perform adequately. Employees have a right to know what outcomes are possible if their performance is not adequate. An employee has the right to a fair evaluation process, as guaranteed by statute and regulation. As such, the employee may contest the factual accuracy of the evaluation, and can demand (as a result of the negotiations process) to rebut the comments of the report.

The task of PERC and the courts is to balance such interests in the light of Ridgefield Park and to assess the scope of negotiations over evaluation procedures permitted under the State Board regulations in the light of the State of New Jersey case.

In any event, it is in the interest of employers to properly evaluate their personnel. With clearly defined but non-negotiable job requirements, evaluation policies and criteria, a local board can be more secure that it and the students it serves will receive the best performance possible from the district's teaching staff.

GLOSSARY

INTRODUCTION

This glossary presents terms defined in NJAC 6:3-1.21 certain terms which have appeared in the Handbook, and some terms which are relevant to evaluation and often misused. It is by no means inclusive or exhaustive. But, it is included to facilitate the reader's understanding. Comprehensive glossaries of relevant terms may be identified by consulting texts listed in this Handbook's Bibliography.

Appropriately Certified Personnel. Personnel qualified to perform duties of supervision which includes the superintendent, assistant superintendent, principals, vice-principals, and supervisors of instruction who hold the appropriate certificate and who are designated by the board to supervise instruction.

Anecdotal Records. Short wirtten records of incidents involving the teacher in interactions with students, peers, parents, or administrators in which his/her capabilities as a teacher were demonstrated.

Criterion-Referenced Testing of Students. The testing of students using specific test items related to an objective which would represent mastery of the objective. Acceptable levels of mastery might be expressed in terms of number of correct items per objective or a minimum percentage based on the number of items; e.g., out of 10 items correct for each objective, 80% mastery for each objective.

Domain-Referenced Testing (DRT) of Students. Testing using a sampling of test items taken from a structured set or pool of test items (a domain) which define important classes of behavior in the repertoire of students. These items are then administered to individuals or groups in order to obtain estimates of the probability that the individual or group could answer any given item from the domain at a specified moment in time.

Evaluative Comments. Spoken or written comments from parents, peers, community members and students regarding the capabilities of the teacher as a teacher.

Indicators of Pupil Progress and Growth. The results of formal and informal assessment of pupils as defined in N. J. A. C. 6:8-3. 4.

Individual Professional Improvement Plan. A written statement of actions developed by the supervisor and the teaching staff member to correct deficiencies or to continue professional growth, timelines for their implementation, and the responsibilities of the individual teaching staff member and the district for implementing the plan.

Instructional Process Requirements. The teaching methods employed by the teacher to ensure that student will achieve stated instructional objectives; that is, their appropriateness and the skill with which they are employed.

Interviews. Formal inquiry regarding a teacher's performance by asking a prespecified series of questions of the teacher, students, parents, or community. Depending upon the source, the criteria can range from opinion or subjective preference, to perceptions based upon limited knowledge and experience, to expert value judgments based upon extensive knowledge and experience.

Job Descriptions. A written specification of the function of the position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and district.

Observation. A visitation to an assigned work station by a certified supervisor for the purpose of formally collecting data on the performance of a teaching staff member's assigned duties and responsibilities and of a duration appropriate to same.

Observation Conference. A discussion between supervisor and teaching staff member to review a written report of the performance data collected in a formal observation and its implications for the teaching staff member's annual evaluation.

Performance Objective. A clear concise written statement of a single key result which is to be accomplished, including a target date for its accomplishment. It is realistic, attainable, and measurable, and clearly understood by the person or persons who will be responsible for or who will contribute to its achievement.

Performance Report. A written approaisal of the teaching staff member's performance prepared by an appropriately certified supervisor.

Professional Growth. Progressive development of an individual as a teacher. This might involve increase in an individual's knowledge (subject matter, learning theory, instructional techniques, etc.); skills (verbal, written, managerial, communications, etc); effects on students (cognitive, affective); and professional activities (professional conferences, community activities, committee participation, etc.).

Professional Interactions. The number and quality of interactions that the person has with others in the course of exercising his/her profession: with school administrators, other teachers, parents, representatives of the community, educators at other levels of the professional hierarchy, etc.

Questionnaire Surveys. Formal solicitations of evaluations of teacher performance from the teacher, students, parents, or the community. Depending upon the source, the criteria can range from opinion or subjective preferences, to perceptions based on limited knowledge and experience, to expert value judgments based upon extensive knowledge and experience.

Review of Records. Looking at pupil, class, or school records to determine the competence and/or effectiveness of a teacher. Items of interest in the records might include pupil performance gains, class test performance, participation of students/class in innovative programs; etc.

Review of Unit/Lesson Plans. Looking at actual unit/lesson plans prepared by the teacher with regard to their relevance to stated objectives, how well they are prepared; whether or not they can be carried out, etc.

Self-appraisal. A formal, written statement prepared by teachers in which they list what their major accomplishments were in the preceeding year, how they rate their performance in the classroom, and how they rate the extent of their professional growth.

Standardized Testing of Students. The testing of students which employs norms which have been established by determining how a representative sample of students score on the test. The norms may be expressed in terms of the central tendency of student performance (the mean, mode, or media) and in terms of the variability of student performance (the range, standard deviation, etc.)

Supervisor. Any appropriately certified individual assigned with the responsibility for the direction and guidance of the work of teaching staff members.

Teacher Tests. Formalized tests administered to teachers to test their knowledge (subject matter, teaching techniques, learning theory), skills (podagogical, communications, managerial, decision making, etc.), effects on students (cognitive and affective) and their relationships (professional, peer, etc.)

Teaching staff member. Member of the professional staff of any district or regional board of education, or any board of education of a county vocational school, holding office, position or employment of such character that the qualifications, for such office, position or employment, require him/her to hold a valid and effective standard, provisional or emergency certificate, appropriate to his/her office, position or employment, issued by the state board of examiners and includes a school nurse; excluding the district superintendent of schools or, if there is no superintendent, excluding the principal.

Unobtrusive Measures. Events, incidents, actions, or transactions which serve as objective, but hidden, indices for assessing teacher performance; e.g., the number of times the teacher sends a student out of the room; the number of violent disruptions in a teacher's room.

Work Samples. Examples of special materials developed by the teacher for use in the classroom. There might be criteria devised from knowledge of a particular field; e.g.; teacher-developed criteria for grammatical accuracy, organizational development, and stylistic expression. Work samples might also include examples of student test papers, essays, or special project products.

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